

LOCAL CIVIL RULES OF PRACTICE
FOR THE COURTS
OF THE 3RD JUDICIAL CIRCUIT
HARRISON COUNTY, INDIANA
EFFECTIVE JUNE 1, 1995

ORDER ADOPTING LOCAL CIVIL RULES OF PRACTICE
FOR THE SUPERIOR AND CIRCUIT COURTS,
3RD JUDICIAL CIRCUIT, HARRISON COUNTY, INDIANA

PURSUANT TO TRIAL RULE 81 OF THE INDIANA RULES OF TRIAL
PROCEDURE IT IS HEREBY ORDERED THAT THE FOLLOWING LOCAL
CIVIL RULES OF PRACTICE IN THE SUPERIOR AND CIRCUIT COURTS OF
THE 3RD JUDICIAL CIRCUIT, HARRISON COUNTY, INDIANA, NUMBERED
ONE [1] TO TWENTY-FIVE [25] BE AND THE SAME ARE HEREBY
ADOPTED, EFFECTIVE JUNE 1, 1995.

SO ORDERED THIS 29 DAY OF April, 1995.


JUDGE, HARRISON SUPERIOR COURT

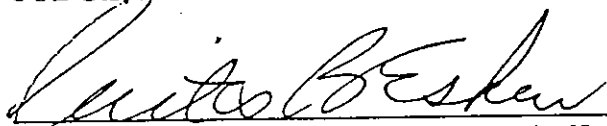

JUDGE, HARRISON CIRCUIT COURT

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RULE 1

APPLICABILITY OF RULES

A. SCOPE. The following local rules of practice and procedure shall apply to cases filed in the Superior and Circuit Courts of Harrison County, Indiana, but shall not apply to criminal cases or cases on the Small Claims Docket unless otherwise indicated.

B. EFFECTIVE DATE. These local rules shall be effective June 1, 1995, and shall supersede such rules heretofore enacted by said Courts.

C. CITATION. These rules may be cited as Local Rule (#). The Indiana Rules of Trial Procedure are hereinafter referred to as Trial Rule (#).

D. PURPOSE. These rules are promulgated pursuant to Trial Rule 81 of the Indiana Rules of Trial Procedure and are intended to supplement the Indiana Rules of Trial Procedure.

RULE 2

ADMISSION TO PRACTICE

A. GENERALLY. No attorney shall be permitted to practice before the Court as an attorney, except on his own behalf when a party, unless he is a member in good standing of the Bar of the Supreme Court of Indiana.

B. FOREIGN ATTORNEYS. An attorney who is a member in good standing of the bar of the highest court of another state may appear, in the trial court's sole discretion, as an attorney in the Court in a particular proceeding so long as said attorney appears with a member in good standing of the Bar of the Supreme Court of the State of Indiana after petitioning the trial court for the courtesy and disclosing in said petition all pending causes in Indiana in which said attorney has been permitted to appear. Indiana counsel shall sign and be jointly responsible for the contents of all pleadings, motions, briefs, and papers filed in the proceeding, and shall also appear in person with the attorney at each stage of the proceeding.

RULE 3

APPEARANCE AND WITHDRAWAL OF APPEARANCE

A. INITIAL APPEARANCE. An attorney entering an appearance for any party, or a party appearing pro se, shall file a written appearance in compliance with TR 3.1 and CR 2.1. Forms for appearances are contained in the Appendix.

B. WITHDRAWAL OF APPEARANCE. Excepting appearances in estates, guardianships, or criminal matters, an attorney desiring to withdraw his appearance in any other proceeding shall file a written motion requesting leave to do so accompanied by a notice of hearing or proof satisfactory to the Court that at least ten [10] days prior written notice has been given to the client and to all other parties of record in advance of the withdrawal date, which date shall be set forth in the written notice.

C. WITHDRAWAL IN ESTATE, GUARDIANSHIP OR CRIMINAL CASES. An attorney desiring to withdraw his appearance in an estate, guardianship or criminal matter shall file a written motion requesting leave to do so accompanied by a notice of hearing which shall be served upon the personal representative, guardian, or criminal defendant directing said person to appear at the hearing.

D. WAIVER OF RULE. A motion for leave to withdraw an appearance of successor counsel and, excepting appearances in estate, guardianship or criminal matters, a motion to withdraw an appearance accompanied by a written consent of the client shall constitute a waiver of the requirements of this local rule.

RULE 4

DUTIES OF ATTORNEYS

PREPARATION OF ENTRIES

A. STATUS OF PROCEEDINGS. Each attorney appearing of record and each party to a proceeding shall at all times keep themselves informed of the status of the proceeding and shall be particularly bound by hearing dates orally set by the Court from the bench in their presence.

B. PREPARATION OF ENTRY. When opposing counsel has appeared in a proceeding, the attorney who has agreed to prepare an entry as requested by the Court shall place on the last page of the entry appropriate signature lines indicating "prepared by" and "reviewed by" and shall submit the entry to opposing counsel for examination. Opposing counsel shall promptly examine the entry when submitted, shall sign the entry, and shall submit the entry to the Court within five [5] days of receiving same.

C. FAILURE TO PREPARE ENTRY. If an attorney agrees to prepare an entry and then fails to do so within fifteen [15] working days of the Court's request, opposing counsel may prepare the entry and submit same to the Court advising the Court by letter of the efforts made to gain preparation of the entry. Failure of counsel to prepare an entry as agreed may subject counsel to sanctions including the assessment of reasonable attorney fees for counsel who prepared the entry.

RULE 5

PAYMENT OF FEES

A. INITIAL FEES. All fees associated with the filing of a case shall be prepaid to the Clerk when the case is filed.

B. TRANSFER FEES. All fees and costs associated with the transfer of a case to another county or transfer of a case from the small claims docket to the civil plenary docket shall be paid within twenty [20] days of the Order directing transfer and the failure to pay such costs shall result in the rescinding of the Order directing transfer and jurisdiction of the case shall remain with the Court.

RULE 6

PROOF OF SERVICE

A. TRIAL RULE 5 REQUIREMENTS. Proof of service of pleadings or papers required to be served by Trial Rule 5 may be made either by:

[1] a certificate of service signed by an attorney of record which certificate shall identify by name and address the person or persons to whom service is directed; or

[2] an acknowledgment of service signed by the party served or the attorney of record if such party is represented by an attorney.

B. SERVICE OF PROCESS. Except for proof of service of process which may appear on computerized records, court personnel shall not be required to review court files to determine if a party has acquired service of process.

RULE 7

FORM AND STYLE OF PLEADINGS

FILING OF PLEADINGS

A. SIGNATURE REQUIRED. Any pleading, motion, brief or paper not signed by an attorney admitted to practice pursuant to the terms of Local Rule 2 shall not be accepted for filing, or, if inadvertently accepted for filing, shall upon discovery be stricken from the record by the Court upon its own motion.

B. PAPER SIZE. All pleadings, motions, entries, orders, judgments and other papers shall be filed on letter size [8 1/2 x 11] paper.

C. FLAT FILING. The files of the Clerk of the Court shall be kept under the flat filing system. All pleadings presented for filing with the Clerk or the Court shall be flat and unfolded.

D. CERTIFICATE OF SERVICE. All certificates of service shall identify by name and address the person or persons to whom service is directed.

E. IDENTIFICATION. Every pleading, motion, brief, and paper filed shall clearly identify the name, office address, telephone number, and Indiana Supreme Court Attorney Number of the individual attorney or attorneys filing same.

F. USE OF PARALEGAL. All pleadings, motions, briefs and papers may be filed by the attorney's secretary or paralegal.

G. ORDERS AND ENTRIES. Except as required by Local Rule 4, all proposed orders and entries shall reflect the name of the preparer under the indication "tendered by", shall be submitted in sufficient number for each person entitled to service and shall contain a distribution list identifying by name and address each person entitled to service.

H. SCHEDULING ORDERS. Proposed orders accompanying motions for the scheduling of matters for hearing, pre-trial conference and trial shall contain adequate space for the insertion of a time and date for a primary setting of the matter and a secondary setting, if desired.

I. SERVICE ON SPECIAL JUDGE. Unless otherwise directed by a special judge, after qualification by a special judge, a copy of each document filed thereafter in the proceeding shall be served on the special judge at his private office or at the Court where he regularly presides and the proof of service shall reflect such service.

RULE 8

PRE-TRIAL CONFERENCES

ASSIGNMENT OF CASES FOR TRIAL

A. COURT CALENDAR. A calendar of cases assigned for bench trial or jury trial shall be kept by the Court and the Court Reporter shall enter on the calendar at the direction of the Court, the style, cause number, and the time and date the trial is assigned to commence.

B. REQUIRED PRE-TRIAL CONFERENCE. No case shall be assigned for jury trial without the Court having conducted a pre-trial conference thereon and any party or attorney of record desirous of acquiring a jury trial shall first file a motion requesting a pre-trial conference accompanied by a proposed order.

C. OTHER PRE-TRIAL CONFERENCES. The Court, in its discretion, may require a pre-trial conference on certain cases to be heard at bench trial and the Court shall, sua sponte, set such cases for conference. Any party or attorney of record desirous of having a pre-trial conference for such cases may file a motion requesting same accompanied by a proposed order.

D. ATTENDANCE AT PRE-TRIAL CONFERENCE. At least one attorney for each party who is a member of the Indiana Bar and who will participate in the trial shall appear at the pre-trial conference. An attorney who fails to attend a pre-trial conference shall be bound by the trial date set by the Court as well as such other matters as contained in the Court's Pre-Trial Order.

E. REQUESTS FOR BENCH TRIAL. The assignment of a case for bench trial may be had by motion duly filed and accompanied by a proposed order. Said motion shall reflect an estimate of the trial time required.

F. TRIAL ASSIGNMENTS. The Court may assign a case for trial by jury or by bench on a primary or secondary basis. Ten [10] days prior to the scheduled trial date, an attorney whose case has been assigned for trial on a primary basis may file a Certificate of Readiness indicating the intention of proceeding to trial as scheduled. The failure to file such Certificate may result in forfeiture of the primary trial date if an attorney whose case has been assigned on a secondary basis files such Certificate and in such event the case assigned on a secondary basis shall be heard.

G. CERTIFICATE OF READINESS. If a Certificate of Readiness is filed pursuant to subsection F of this Local Rule, the Certificate shall be served on all parties in a cause and shall contain a certificate of service. The Certificate shall state:

[1] that the cause is at issue;
[2] that discovery has been completed or will be completed by the scheduled trial date; and
[3] that opposing counsel was advised of the party's intention to file the Certificate five [5]
days prior to its filing.

H. CRIMINAL TRIALS. Criminal trial settings shall take precedence over civil trial settings.

RULE 9

MOTIONS

A. GENERALLY. Excepting motions made during the course of a recorded proceeding, all motions shall be in writing.

B. PROPOSED ORDERS REQUIRED. Proposed orders shall accompany motions or applications in the following matters:

- [1] to enlarge or shorten time
- [2] for setting of hearing, conference or trial
- [3] for continuance
- [4] for default judgment
- [5] to compel discovery
- [6] to withdraw appearance
- [7] of dismissal
- [8] for change of venue
- [9] for restraining order, temporary injunction
- [10] for summary judgment
- [11] for such other orders, judgments or decrees as the Court may direct.

C. HEARINGS REQUIRED. Excepting motions to correct error, motions for summary judgment or other motions described in subsection F, subsection G and subsection H of this rule, all motions shall be set for hearing at the time of their filing and shall be accompanied by a separate instrument requesting a hearing and an order for the setting of a hearing date.

D. NOTICE OF MOTION AND ORDER. In lieu of the requirement of subsection C of this rule, an attorney may utilize a Notice of Motion and Order for routine matters such as a motion for continuance, motion to amend pleading, motion to shorten time, motion to add parties, motion to compel discovery and the like. The Notice of Motion shall indicate that the Court will rule on the motion and enter its Order beginning at 9:00 A.M. on the Monday which is not less than five [5] working days from the date of the Court's actual receipt of the Notice of Motion.

E. MOTION TO CORRECT ERROR. Any party may request a hearing upon a Motion to Correct Error by filing a written request therefor by separate instrument at any time before the Court has ruled upon such motion. It shall be discretionary with the Court whether a hearing shall be held on such Motion to Correct Error.

F. HEARING NOT REQUIRED. At the time of filing, the following motions shall be summarily granted or denied ex parte unless the Court, in its discretion, determines a hearing should be scheduled on any such motion and schedules such hearing;

- [1] Motion for Enlargement of Time [initial request]
- [2] Motion to Reconsider [denial of]
- [3] Motion for Change of Venue from Judge/County
- [4] Motion for Default Judgment
- [5] Joint Motion for Continuance
- [6] Motion to Dismiss Settled
- [7] Motion to Set Hearing/Pre-trial conference/Bench Trial
- [8] Motion For Temporary Restraining Order/Joint Preliminary Injunction in domestic matters in accordance with Local Rule 12.
- [9] Motion to Withdraw Appearance excepting in Estate, Guardianship or Criminal matters
- [10] Such matters as permitted by statute or Trial Rule.

G. MOTIONS UNDER TRIAL RULES 12, 24, 42, and 60. Motions seeking relief under Trial Rules 12, 24, 42, and 60 shall be accompanied by a brief and proof of service upon opposing counsel. An adverse party shall have fifteen [15] days after service of the movant's brief to file an answer brief, and the movant shall have seven [7] days after service to file a reply brief.

Upon expiration of the time provided by the briefing schedule, the proponent of the motion shall file a written request to schedule the matter for hearing.

H. MOTIONS FOR SUMMARY JUDGMENT. Motions for Summary Judgment and any supporting affidavits, exhibits and briefs shall be accompanied by proof of service upon opposing counsel. An adverse party may file a response and any opposing affidavits, exhibits and briefs, with proof of service upon opposing counsel, within thirty [30] days after service of the motion.

A hearing on a Motion for Summary Judgment shall be held not less than ten [10] days after the time for the filing of a response and the proponent of the motion shall file a written request to schedule the matter for hearing accompanied by an order for the setting of a hearing date.

Motions for Partial Summary Judgment shall be accompanied by proposed findings of fact and conclusions of law.

RULE 10

CONTINUANCES

A. GENERALLY. A motion for continuance of a hearing or trial shall be accompanied by an order which shall contain adequate space for insertion of a new time and date for re-scheduling purposes.

B. CONTENT OF MOTION. A motion for continuance shall set forth the scheduled date, the reason for continuance, the specific length of time the moving party desires the cause to be delayed, and reference as to whether opposing counsel agrees or disagrees to a continuance of the scheduled hearing or trial.

C. TIMING OF MOTION. No continuance shall be granted at the request of a party unless a written motion for same is filed not less than ten [10] days prior to the scheduled hearing or trial, unless it is made to appear by affidavit that the facts which are the basis of the motion did not then exist or were not then known by the moving party.

D. SANCTIONS. All delays and continuances of a cause shall be at the cost of the party causing the same, except where otherwise provided by law, and the adverse party may have such costs taxed and judgment rendered therefore upon motion duly made.

RULE 11

FINDINGS OF FACT

In all cases where findings of fact by the Court are requested or required, counsel of record shall submit to the Court proposed findings setting forth all facts claimed to have been established and the conclusions of law thereon. Such form of findings shall be submitted to the Court within such time as directed by the Court.

RULE 12

DISSOLUTION OF MARRIAGE

APPLICATION FOR PROVISIONAL ORDER, EXPEDITED HEARINGS AND MANDATORY EXCHANGE OF FINANCIAL DECLARATION FORM

A. NOTICE OF RULING DATE. An application for provisional order in a dissolution action shall be accompanied by a notice of ruling date. Said notice shall indicate the date for ruling thereon and shall further indicate

- [1] that the Court will rule on the application without conducting a hearing thereon and
- [2] that the Court will consider a written response to the application filed before the ruling date.

B. RESPONSE/REPLY. If a response to an application for a provisional order is filed on or before the ruling date, the Court shall extend the ruling date by five [5] working days from the date of the filing of the response within which time the applicant may file a reply to the response.

C. CONTENT OF PROVISIONAL PLEADINGS. When an application for a provisional order requests child support or other monetary assistance, the application and the response to the application, if any, must be accompanied by:

- [1] a financial information form and a child support guideline worksheet in forms consistent with that adopted by the Court in the Appendix of these Local Rules; and
- [2] an affidavit of non-employment indicating when last employed and income for that year, or copies of a party's W-2 form for the prior tax year and last two paycheck stubs from the party's current employer; or
- [3] if the party is self-employed, a copy of the prior year's Federal Tax Form 1040 and a verified statement of average weekly gross income for the current year.

D. REQUEST FOR A HEARING. The Court shall grant an oral hearing on an application for a provisional order upon the timely filing of a written motion and proposed order setting hearing.

E. EXTENSION OF RULING DATE. The Court shall not enter a ruling on an application for a provisional order until ten [10] days have passed from the date of service of summons. If service of summons occurs on a date beyond the selected ruling date, the ruling date shall be automatically extended to a day which is ten [10] days from the date of service of summons and notice of such extension upon the adverse party shall not be required.

F. CHANGE OF VENUE/EMERGENCY MATTER. In that a change of venue from the Judge and/or County results in a delay of the entry of a ruling in a provisional matter, an application for child support may be deemed to be in the nature of an emergency upon the filing of a written request for such determination within five [5] working days of the filing of the adverse party's Motion For Change of Venue. Upon such a finding by the Court, the Court shall retain jurisdiction in such instance and enter its findings on child support in accordance with this Local Rule.

G. MANDATORY EXCHANGE OF VERIFIED FINANCIAL DISCLOSURE FORM. In all dissolution proceedings, each party shall prepare and exchange respectively within forty-five [45] days of the filing of the Petition for Dissolution of Marriage, a Verified Financial Declaration Form as set forth in the Appendix to these rules. The forty-five [45] day time limit may be extended or shortened by the Court for good cause shown. In those cases where there is service, but no appearance by counsel for the opposing party, it is the responsibility of Petitioner's Attorney to serve the completed form on the other party and to notify that party of the duty to prepare and serve one as well. The exchange of the Verified Financial Declaration Form constitutes mandatory discovery. Thus, Trial Rule 37 sanctions apply. Additionally, pursuant to Trial Rule 26 E (2) and (3), the form shall be supplemented if additional material becomes available. Further, any additional discovery, such as a Motion to Produce, Interrogatories, or Depositions of the parties shall not commence until the forms are exchanged. No contested marriage dissolution action will be set for trial unless counsel for either or both parties certify to the Court that the form has been completed by both parties.

A copy of a completed Verified Financial Disclosure Form, when served upon the opposing party, shall also be deemed to be a Request for Admissions. In the event that a party does not prepare and serve his or her respective Form within the time period provided in this rule, then the form for the complying party may be filed with the Court and the factual information contained in said Form shall be deemed admitted as fact by all parties and the case set for trial on motion of the complying party. When the form is filed with the Court, it shall be sealed and designated "Confidential."

H. INDIANA CHILD SUPPORT GUIDELINES. All orders establishing or modifying child support shall be made in accordance with the Indiana Child Support Guidelines established by the Indiana Supreme Court and Indiana Code 31-1-11.5 (see subsection C). All orders establishing or modifying child support shall be effective as of the date the request for said establishment or modification was filed.

I. CHILD VISITATION GUIDELINES. Unless the Court enters specific orders to the contrary, any order of the Court providing for custody of children shall be deemed to provide, by operation of this rule, for the implementation of access and companionship with said children by the non-custodial parent in accordance with the Child Visitation Guidelines set forth in the Appendix to these rules. Whenever an existing decree provides for visitation with children at "reasonable times and places" or uses language of similar intent, or when no other more specific visitation schedule is set forth, the Child Visitation Guidelines shall apply.

J. CHILDREN COPE WITH DIVORCE SEMINAR. In any dissolution, separation or

post dissolution proceeding where orders are requested regarding unemancipated children, both parties to the proceeding shall attend and complete the Visiting Nurses Association Seminar "Children Cope With Divorce," unless a party has attended within the prior two [2] years. Failure to register and attend may constitute cause for denial of requested relief including provisional orders and final decrees. This rule shall not be construed to permit any party to delay legal proceedings by not registering or attending the seminar. Failure to comply with this section may subject the non-complying party to contempt proceedings.

K. EXPEDITED HEARINGS. An expedited hearing is a proceeding in open court. At such hearing, the evidence shall be presented in summary fashion by the attorneys, or the parties if pro se, who shall summarize the evidence in a narrative statement. The Court may then question the parties or the attorneys and may require the presentation of brief testimony. Documentary evidence may also be received by the Court. Formal rules of evidence and procedure shall not apply, except that the Court shall endeavor to insure that traditional concepts of trustworthiness of evidence and fundamental fairness are observed.

All requests for enforcement or modification of existing orders and decrees shall first be scheduled for an "expedited" hearing. Each party shall bring to the expedited hearing all documentary evidence as required by these Local Rules. All persons seeking relief, and any party opposing the relief sought, are required to attend the expedited hearing. The parties shall first meet in a settlement conference at least 30 minutes prior to the scheduled hearing. If they are unable to agree, the Court will hear and determine the matters at issue between the parties at the expedited hearing.

Any party, in open Court at the commencement of the expedited hearing, may demand an evidentiary hearing at which all rules of trial procedure and evidence will be observed. If such demand is made, the matters then at issue between the parties will be scheduled, heard, and determined at such evidentiary hearing. The Court may, however, conduct an expedited hearing to consider and determine any emergency matters or other necessary temporary orders until the evidentiary hearing can be held. The Court may, on its own motion, either before or after the expedited hearing, decline to determine any issues on the evidence presented at such hearing and shall thereafter schedule such issues for evidentiary hearing.

L. EX PARTE ORDERS/EMERGENCY RELIEF.

1. JOINT PRELIMINARY INJUNCTIONS & RESTRAINING ORDERS-TR 65E.

Upon verified application for joint preliminary injunctions ex parte filed in an action for dissolution, separation, or child support alleging that injury would result to the moving party if no immediate order were to issue under Trial Rule 65 E(1), the Court will, without the necessity of notice, hearing or security, issue joint preliminary injunctions ex parte enjoining both parties from:

- a. Transferring, encumbering, concealing, selling or otherwise disposing of any joint property of the parties or assets of the marriage (except in the usual course of business or for the necessities of life) without the written consent of the parties or the permission of the Court, and/or
- b. Removing any child of the parties then residing in the State of Indiana with the intent to

deprive the Court of jurisdiction over such child without the prior written consent of the parties or the permission of the Court.

Attorneys may use the rubber stamp provided by the Court for the convenience of court and counsel when filing an application for joint preliminary injunction in accordance with Trial Rule 65 E(1) without waiting and first bringing the matter to the attention of the judge or waiting for the judge to sign the original. The Clerk of the Court will enter the joint preliminary injunction on the docket immediately upon filing.

[The joint preliminary injunction will be automatically effective against the party requesting it at the time of filing and effective on all other parties upon service. Such joint preliminary injunction shall be enforceable by all remedies provided by law, including contempt.

Once issued, the joint preliminary injunction remains in effect until the entry of a decree or final order until modified or dissolved by the Court. A form for the motion and order for joint preliminary injunction is contained in the Appendix.]

Upon verified application for a restraining order ex parte under Trial Rule 65 E(2) where a party seeks to enjoin the non-moving party from

a. Abusing, harassing, disturbing the peace, or committing a battery on the petitioning party or any child or step-child of the parties, or excluding the non-moving party from the family dwelling, the dwelling of the non-moving party, or any other place,

the court shall determine from the facts set forth in the movant's affidavit whether such restraining order shall issue ex parte. The Court will require specific allegations in the movant's supporting affidavit of the injury, loss or damage that will result if the temporary restraining order does not issue ex parte. If the Court finds that immediate and irreparable injury will result to the movant if a restraining order does not issue immediately and before the adverse party or his attorney can be heard in opposition, the Court will, without necessity of notice or hearing, issue a restraining order ex parte for the above relief.

Attorneys may not use the use the rubber stamp on a TR 65 E(2) restraining order until the judge signs the original. The Clerk will enter the restraining order on the docket upon signing by the judge.

[The restraining order will be automatically effective upon service. Once issued, the restraining order remains in effect until modified or dissolved by the Court. A form for the motion and order for restraining order under TR 65 E(2) is contained in the Appendix.]

[A joint preliminary injunction or restraining order issued under TR 65 E is not sent to or kept on file with the County Sheriff and/or Municipal Law Enforcement Agency (see IC 5-2-9-2.1 and 6(2).]

2. TEMPORARY RESTRAINING ORDERS-IC 31-1-11.5-7. Upon motion for temporary restraining order ex parte, filed in an action for dissolution of marriage, separation, or child support (IC 31-1-11.5-7), accompanied by or incorporating an affidavit setting forth specifically the irreparable injury, loss or damage that would result to the applicant if a temporary restraining order does not issue immediately, and upon the Court's finding, from facts set forth in the movant's affidavit, that immediate and irreparable injury, loss or damage will result to the applicant if a temporary restraining order does not issue immediately and before the adverse party

or his attorney can be heard in opposition, the Court will, without the necessity of notice or hearing, issue a temporary restraining order ex parte:

- a. Restraining any person from transferring, encumbering, concealing, or in any way disposing of any property (except in the usual course of business or for the necessities of life), and/or
- b. Enjoining any party from abusing, harassing or disturbing the peace of the other party, and/or
- c. Excluding either party from the family dwelling, from the dwelling of the other, or from any other place upon a showing that harm would otherwise result, and/or
- d. Granting temporary possession of property to either party.

The Court may require such surety as the Court deems appropriate. The Court will require specific allegations in the movant's supporting affidavit of the injury, loss or damage that will result if the temporary restraining order prayed for does not issue ex parte.

[Note: Attestation that the parties have already separated voluntarily and that the movant is presently in sole possession of the family dwelling with the knowledge and approval of the other party will suffice for motions under sub-section c (exclusive use and possession of dwelling)].

Attorneys may not use the rubber stamp provided by the Court for convenience of court and counsel when filing a motion for temporary restraining order in accordance with IC 31-1-11.5-7(b) without first bringing the matter to the attention of the judge and waiting for the judge to approve and sign the original order. The Clerk will not enter the temporary restraining order on the docket until the judge has approved and signed the original.

[The temporary restraining order will be effective on the parties named therein upon service. Such temporary restraining order shall be enforceable by all remedies provided by law, including contempt. Once issued the temporary restraining order remains in effect until the entry of a decree or final order or until modified or dissolved by the Court. A form for the motion and order for temporary restraining order is contained in the Appendix.]

[Note: Orders under subsection b or c ARE sent to and kept on file with the County Sheriff and Municipal Law Enforcement Agency (see IC 31-1-11.5-7(g) and IC 5-2-9-2.1 & 6).]

3. OTHER EX PARTE ORDERS. Upon motion for any other emergency order ex parte, in any action for dissolution, separation or child support, whether pending or concluded, including but not limited to motions for temporary emergency custody, accompanied by an affidavit setting forth specifically the irreparable injury, loss or damage that would result to the applicant if such order does not issue immediately, and upon the Court's finding from facts set forth in the movant's affidavit that immediate and irreparable injury, loss or damage will result to the applicant if such an order does not issue immediately and before the adverse party or his attorney can be heard in opposition, the Court will, without the necessity of notice or hearing, issue such temporary emergency order ex parte.

Before such ex parte order issues, counsel for applicant shall file a Certificate of Notice wherein applicant or applicant's attorney certifies to the Court:

- a. That opposing counsel has been notified by phone or FAX prior to the filing of the motion, or
- b. What unsuccessful efforts have been made to notify opposing counsel prior to the filing of the motion, or

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past 60 days, a claim that notice not be required will be very strictly scrutinized by the Court. A form for the Certificate of Notice is contained in the Appendix.

counsel's claim that notice to opposing counsel should not be

el will not be required if the Court's records indicate that there
sel, or that opposing counsel has withdrawn. Further, notice to
ired even though counsel has not withdrawn if there are no
there have been no motions or petitions, etc., **within** the past 60
nents, decrees, orders or rulings entered or conferences or
ounsel within the past 60 days. Other reasons not requiring
y the Court. If motions or petitions are pending, or if there have
hin the past 60 days, or if there have been judgments, decrees,
ences or negotiations involving opposing counsel within the

4. REMEDIES OF RECIPIENT OF AN EX PARTE ORDER. Whenever an ex parte order is entered pursuant to Section 1, Section 2, or Section 3, a recipient of such order, upon two (2) working days notice to the party who obtained the order (or on such shorter notice as the Court may prescribe), shall be allowed to appear and be heard on such matter. Notice under this rule may be made by phone or FAX, the same as in 12 L 3 above.

M. PROTECTIVE ORDER FORMS. Forms for a Petition for Protective Order, Emergency and One Year Protective Order, Pro Se Petition and Affidavit for Leave to Proceed as Indigent Person, Notice of Extension or Modification of Protective Order, Pro Se Motion and Order for Dismissal, and Notice of Termination of Protective Order or Restraining Order are provided in the Appendix. These forms contain a commentary explaining the use of each form.

RULE 13

DISSOLUTION OF MARRIAGE

FINAL HEARING

A. SCHEDULING. A final hearing on a Petition for Dissolution of Marriage shall be set by the Court in accordance with Local Rule 8 if the cause is contested. If the cause is not contested a final hearing shall be held at such time as is mutually convenient to the parties and the Court or at such other time as generally set by the particular court for hearings on uncontested matters.

B. EXPEDITED HEARING. Any party may request that the trial on a Petition for Dissolution of Marriage be held under the procedure for an expedited hearing. Such request shall be made in writing and filed with the Court. Unless the other party files, within ten [10] working days, a written objection to proceeding in expedited fashion, the Court will schedule the trial for an expedited hearing under the procedures outlined in Local Rule 12 K.

C. NOTICE IN UNCONTESTED ACTION. In an uncontested action written notice of an intention to proceed to final hearing on a date and time certain shall be given to a party not represented by counsel. The written notice shall be sent to the last known address of the party not represented and proof of service shall not be required; however, a copy of said notice shall be presented to the Court at the time of the final hearing.

D. SUMMARY DISPOSITION. A summary disposition on a Petition for Dissolution shall be entered by the Court upon submission of the appropriate documentation to the Court in accordance with the statutory requirements.

RULE 14

DISSOLUTION OF MARRIAGE

SERVICE ON REDOCKETED MATTERS

Service of process of post-dissolution actions such as petitions for modifications and applications for rule to show cause must be on a party pursuant to Trial Rule 4. Service of process of such actions upon the attorney who represented the party in the underlying dissolution action shall be deemed insufficient.

RULE 15

PROBATE

A. CLOSING WITHIN ONE YEAR. All estates shall be closed within one [1] year unless for good cause shown. Good cause for not closing an estate within one [1] year shall be shown by the verified statement setting forth the facts as to why said estate cannot be closed and an estimate of the time required for the closing of the estate.

B. INTERMEDIATE ACCOUNTING. The Court may order an intermediate accounting within thirty [30] days of the expiration of one [1] year of the opening of the estate if good cause is not shown. Such accounting shall comply with the provisions of IC 29-1-16-4 and 29-1-16-6 and such accounting shall also state facts showing why the estate cannot be closed.

C. NONCOMPLIANCE. Failure to comply with this Rule shall be grounds for removal of the personal representative, pursuant to IC 29-1-10-6, and for reduction or forfeiture of personal representative fees and attorneys fees.

D. UNSUPERVISED ESTATES. Unsupervised estates shall become supervised estates if not closed within one [1] year unless for good cause shown in accordance with paragraph A herein.

RULE 16

PROBATE

CONVEYANCE/COURT APPROVAL

A. DOCUMENTS OF CONVEYANCE. The signature of a judge shall not be necessary on any deed, lease, bill of sale or other conveyance of real estate or personal property by a personal representative. This Local Rule shall be applicable in supervised and unsupervised administration.

B. COURT APPROVAL. The approval of the Court for the sale, mortgage, lease, et cetera, of estate property, evidenced by a Court order shall continue to be necessary except in those situations exempted by IC 29-1-15-2 and IC 29-1-7.5-3 as amended.

RULE 17

PROBATE
(reserved)

RULE 18

DISCOVERY

A. USE OF FORM DISCOVERY. No "form" discovery shall be served upon a party unless all discovery requests on such forms are consecutively numbered and applicable to the case in which the same are utilized. The intent and purpose of this rule is to prohibit the use of form discovery unless applicable to the case at bar or where the nature of the case or the number of the parties makes the use of such forms necessary and appropriate.

B. ADMISSIONS FORMAT. Answers or objections to requests for admissions filed and served pursuant to Trial Rule 36 shall set forth in full the request for admissions being answered or objected to immediately preceding the answer or objection.

C. MOTIONS FOR DISCOVERY. The Court shall refuse to rule on any and all motions for discovery concerned with the production of documents or things, permission to enter upon land or other property for inspection and other purposes, for physical or mental examination, or to compel discovery provided in Trial Rules 26 through 37, unless moving counsel shall first advise the Court in writing that after personal consultation and sincere attempts to resolve differences with opposing counsel, they are unable to reach an accord.

D. LIMITATION ON INTERROGATORIES. The number of interrogatories which may be served pursuant to Trial Rule 33 shall be limited so as to require the answering party to make no more than forty [40] answers, each sub-part of an interrogatory counting as one [1] answer. Waiver of this limitation will be granted by order of the Court in cases in which such limitation would work a manifest injustice or would be impractical because of the complexity of the issues of the case. Each motion requesting waiver of this limitation shall contain as an exhibit the interrogatories which the party proposes to serve.

IN THE COURT
VISITATION GUIDELINES

In the event the parties are unable to agree on visitation rights to which a non-custodial parent is entitled or in joint custody situations for the parent not having primary physical custody, the following shall be the Court's visitation guidelines:

- (1) **ALTERNATING WEEKENDS** from 6:00 p.m. on Friday until 6:00 p.m. on Sunday
- (2) **YEARS ENDING IN ODD NUMBER:**
 - (a) The night before each child's birthday from 6:00 p.m. until 9:00 p.m.
 - (b) Memorial Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Monday
 - (c) Independence Day from 6:00 p.m. on July 3 until 6:00 p.m. on July 5
 - (d) Thanksgiving from 6:00 p.m. on Wednesday until 6:00 p.m. on Sunday
 - (e) Christmas from 6:00 p.m. on December 24 until 6:00 p.m. on January 1
 - (f) Martin Luther King holiday from 6:00 p.m. the day before until 6:00 p.m. the day of the state holiday itself
- (3) **YEARS ENDING IN EVEN NUMBER:**
 - (a) Each child's birthday from 10:00 a.m. until 6:00 p.m.
 - (b) Easter weekend from 6:00 p.m. on Good Friday until 6:00 p.m. Easter Sunday
 - (c) Labor Day weekend from 6:00 p.m. on Friday until 6:00 p.m. on Monday
 - (d) Halloween evening from 6:00 p.m. until 9:00 p.m.
 - (e) Christmas from 6:00 p.m. on December 20 until 6:00 p.m. on December 24
 - (f) Spring Break as set by the school
- (4) **EVERY YEAR** on non-custodial parent's BIRTHDAY and MOTHER'S or FATHER'S DAY from 10:00 a.m. until 6:00 p.m. Likewise, the custodial parent shall have visitation on the custodial parent's BIRTHDAY and MOTHER'S DAY or FATHER'S DAY when such day conflicts with the non-custodial parent's visitation schedule.
- (5) **ONE EVENING PER WEEK DURING THE REGULAR SCHOOL TERM, AT THE NON-CUSTODIAL PARENT'S ELECTION FROM 6:00 p.m. UNTIL 9:00 p.m. IN THE EVENT THE PARTIES CANNOT AGREE ON THE DAY OF THE WEEK, SAID DAY SHALL BE WEDNESDAY.**
- (6) **IN THE SUMMERTIME FOR PRE-SCHOOL AGE CHILDREN FOR TWO WEEKS IN JUNE AND TWO WEEKS IN JULY EACH YEAR TO BE DETERMINED BY MAY 1 OF EACH YEAR.**
- (7) **IN THE SUMMERTIME FOR SCHOOL AGE CHILDREN FOR TWO NON-CONSECUTIVE THREE WEEK PERIODS TO BE DETERMINED BY MAY 1 OF EACH YEAR. THE CUSTODIAL PARENT IS LIKEWISE ENTITLED TO SIMILAR EXTENDED ACCESS. THESE VISITATION PERIODS SHALL BE WITHOUT INTERRUPTION BY ANY OTHER VISITATION RIGHT INCLUDING**

WEEKENDS OR HOLIDAYS, ETC.

- (8) SUPPORT SHALL ABATE BY 50% DURING THE SUMMER VISITATION PERIODS AND ANY OTHER PERIOD OF 7 CONSECUTIVE DAYS OR LONGER.**
- (9) EACH PARENT SHALL ALLOW LIBERAL BUT REASONABLE TELEPHONE AND MAIL PRIVILEGES WITH THE CHILDREN.**
- (10) AT EACH CHANGE OF POSSESSION, THE PARENT TAKING POSSESSION OR OBTAINING ACCESS SHALL PICK UP THE CHILD. THE PARENT YIELDING POSSESSION OR ACCESS SHALL HAVE THE CHILD READY AT THE APPROPRIATE TIME.**
- (11) NOTICE OF INTENT TO NOT EXERCISE VISITATION SHALL BE GIVEN AT LEAST 3 DAYS PRIOR TO SCHEDULED VISITATION UNLESS AN EMERGENCY EXISTS IN WHICH EVENT NOTICE SHALL BE AS SOON AS POSSIBLE UNDER THE CIRCUMSTANCES.**
- (12) THE CUSTODIAL PARENT SHALL SUPPLY COPIES OF ALL SCHOOL AND MEDICAL REPORTS WITHIN 10 DAYS OF THEIR RECEIPT AND SHALL IMMEDIATELY NOTIFY THE OTHER PARENT IN THE EVENT OF AN EMERGENCY.**

WHERE GEOGRAPHICAL DISTANCES MAKE COMPLIANCE WITH THESE GUIDELINES IMPOSSIBLE, THE NON-CUSTODIAL PARENT SHALL HAVE SIX WEEKS OF SUMMER VISITATION, ONE WEEK AT SPRING BREAK BEGINNING THE FRIDAY THE SCHOOL WEEK ENDS PRIOR TO SPRING BREAK AT 6:00 p.m., ONE WEEK AT CHRISTMAS BEGINNING ON DECEMBER 25 AT 6:00 p.m., ALTERNATE THANKSGIVING HOLIDAYS BEGINNING AT 6:00 p.m. WEDNESDAY UNTIL 6:00 p.m. SUNDAY, ONE WEEKEND PER MONTH FROM 6:00 p.m. FRIDAY UNTIL 6:00 p.m. SUNDAY, AND ANY OTHER REASONABLE TIMES THE PARTIES AGREE TO.

WHERE CHILDREN ARE LESS THAN ONE YEAR OLD, VISITATION SHALL BE ALTERNATE SATURDAYS OR ALTERNATE SUNDAYS FROM 10:00 a.m. UNTIL 6:00 p.m. IF THE CHILD IS LESS THAN THREE MONTHS OLD SUCH PERIOD SHALL BE FROM 2:00 p.m. UNTIL 6:00 p.m.

IN THE _____ COURT FOR THE COUNTY OF _____
STATE OF INDIANA

IN RE THE MARRIAGE OF:

Petitioner,

vs.

CAUSE NO. _____

Respondent.

VERIFIED FINANCIAL DISCLOSURE STATEMENT

In accordance with Local Rule 12(G) and Indiana Trial Rules 33 and 34, the undersigned, whether Petitioner or Respondent, herewith submits the following VERIFIED FINANCIAL DISCLOSURE STATEMENT:

I. PRELIMINARY INFORMATION:

Full Name: _____

Address: _____

Date of Birth: _____

Social Security No.: _____

Date of Marriage: _____

Spouse's Name: _____

Spouse's Social Security Number: _____

Spouse's Date of Birth: _____

Children:

Name: _____	Age: _____	DOB: _____
-------------	------------	------------

Name: _____	Age: _____	DOB: _____
-------------	------------	------------

Name: _____	Age: _____	DOB: _____
-------------	------------	------------

Name: _____	Age: _____	DOB: _____
-------------	------------	------------

Name: _____	Age: _____	DOB: _____
-------------	------------	------------

_____ \$ _____ per _____
_____ \$ _____ per _____
_____ \$ _____ per _____

Fringe Benefits, Including but Not Limited to Company
Automobile, Health Insurance, Club Memberships,
Cafeteria Plan, etc.:

Type of Benefit:

Annual Value:

III. PROPERTY:

(A) Marital Residence:

Description: _____

Location: _____

Date Acquired: _____

Purchase Price: _____

Down Payment: _____

Source of Down Payment: _____

Current Indebtedness: _____

Monthly Payment: _____

Current Fair Market Value: _____

(B) Other Real Property:

Description: _____

RULE 19

PUBLICATION OF DEPOSITIONS

The seal on depositions shall be broken and the deposition deemed published upon filing with the Court. When depositions are utilized in support of, or in opposition to, a motion for summary judgment or other matter, the pleadings and/or memoranda filed in support or opposition to such motion shall make specific reference by page and line or question number to those places in such deposition which purport to demonstrate the presence or absence of material fact.

RULE 20

SUBPOENAS

Pursuant to TR 45, the Clerk shall issue a subpoena or a subpoena for the production of documentary evidence signed and sealed but otherwise in blank to a party or the attorney requesting same. The party or attorney shall complete the subpoena before service, shall file the original subpoena with the Clerk, and notify the Clerk of the manner in which service was made.

RULE 21

JURY INSTRUCTIONS

Proposed final instructions, special or pattern, shall be submitted on letter size [8 1/2 x 11] paper, double-spaced, with all designations including indications for the Court's disposition placed on the bottom three [3] inches of the instruction.

The parties shall submit a second set of proposed final instructions containing no designation of who submitted them, or other identifying references, and shall contain only the statement of law. This set of jury instructions may be sent with the jury to the jury room for use during deliberations.

RULE 22

PRAECIPES/TRANSCRIPTS

A. CONTENT. All praecipis and requests for transcripts shall be in writing and filed with the Clerk of the Court. Such praecipis and requests for transcripts relating to trials by jury shall not include voir dire, opening statements, and closing statements unless specifically requested.

B. COSTS. The party requesting a transcript shall obtain an estimate of the cost of the transcript from the Court Reporter and shall pay a deposit equal to one-half of the estimated cost of the transcript before the transcription process is undertaken by the Court Reporter. The remaining estimated cost of the transcript shall be paid upon notification by the Court Reporter to the requesting party that one-half of the transcript has been completed. The actual total cost of the transcript shall be paid in full before the transcript is released to the requesting party.

RULE 23

EX PARTE ORDERS

Ex parte proceedings are highly disfavored. In civil cases the Court may enter orders, ex parte, in those matters as set forth in Local Rule 9 (F). In dissolution actions, including protective orders, the Court may enter orders, ex parte, in accordance with Local Rule 12.

Upon motion of any party adversely affected by any ex parte proceeding not in conformity with this rule, the Court, after notice and opportunity to be heard, may direct that the party or attorney seeking an ex parte order shall pay to the adversely affected party the reasonable attorneys fees associated with the opposition to the ex parte order.

**RULE BANNING OR PROHIBITING
FIREARMS AND EXPLOSIVE DEVICES**

NO PERSON, EXCLUDING LAW ENFORCEMENT, OR PERSON EXEMPTED BY THE COURT SHALL TAKE, CARRY, TRANSPORT OR POSSESS ANY FIREARM OR EXPLOSIVE DEVICE, IN ANY AREA, IN, OR ADJACENT TO THE COURTROOM OR THE OFFICES OF THE CLERK OF COURT LOCATED IN THE HARRISON COUNTY COURTHOUSE, STATE OF INDIANA.

RULE 24

SANCTIONS

A. COURT ACTION. When a party or counsel for a party fails to comply with any of these Local Rules, the Court, after advising the party of the noncompliance, may direct the Clerk of the Court to refuse to accept the pleadings or papers to be filed, or, if inadvertently accepted for filing, direct that such pleadings or papers be stricken from the record.

B. COSTS. In addition to the foregoing, the Court may order the party or counsel for the party failing to comply with these Local Rules to pay reasonable expenses, including attorneys fees, caused by the failure.

IV. BANK ACCOUNTS TO WHICH THE PETITIONER/RESPONDENT HAS HAD A DIRECT OR INDIRECT INTEREST WITHIN LAST 3 YEARS:
(This includes any bank account to which the Petitioner or the Respondent has deposited money):

<u>Description</u>	<u>Account Number</u>	<u>Date Opened</u>	<u>Balance/Date of Separation</u>	<u>Current Balance</u>
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____
_____	_____	_____	\$ _____	\$ _____

V. STOCKS, BONDS, AND CDS:

<u>Description</u>	<u>Date Acquired</u>	<u>Balance/Date of Separation</u>	<u>Current Balance</u>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

VI. INSURANCE POLICIES:

<u>Company</u>	<u>Policy No.</u>	<u>Beneficiary</u>	<u>Cash Value</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

VII. RETIREMENT BENEFITS, IRA, KEOGH, PENSION, ETC:

<u>Company</u>	<u>Account No.</u>	<u>Value</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

VIII. INTEREST IN BUSINESS:

<u>Name of Business</u>	<u>Type (Corp., Sole Prop., Ptnship)</u>	<u>% of Ownership</u>	<u>Estimated Value</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

IX. DEBTS (INCLUDING BUT NOT LIMITED TO MORTGAGES, CHARGE CARDS, LOANS, CREDIT UNION, ETC.; ATTACH SEPARATE LIST IF NECESSARY:

<u>Creditor:</u>	<u>Monthly Payment</u>	<u>Current Balance</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

Total Monthly Payment: \$ _____

Total Debts Owed: \$ _____

X. MONTHLY EXPENSES:

Housing _____
 (Rent or mortgage)

2nd Mortgage _____

Gas/Electric _____

Water/Sewer _____

Telephone _____

Garbage Pickup _____

Food _____

Medical (self) _____

Medical (children) _____

Dental (self) _____

Dental (children) _____

Med/Dent Insurance _____

Cleaning/Laundry _____

Hair care _____

Toiletries _____

School Lunch _____

School Tuition _____

School Supplies _____

Newspaper _____

Cablevision _____

Transportation

(a) Gas/Oil _____

(b) Car Repairs _____

(c) Car Ins. _____

Car Payment _____

Home Ins. _____

Property Tax _____

Charge Accts.

(a) _____ (Name)
 _____ (Balance)
 Monthly pymt _____

(b) _____ (Name)
 _____ (Balance)
 Monthly pymt _____

(c) _____ (Name)
 _____ (Balance)
 Monthly pymt _____

(d) _____ (Name)
 _____ (Balance)
 Monthly pymt _____

(e) _____ (Name)
 _____ (Balance)
 Monthly pymt _____

Other: _____

Other: _____

TOTAL MONTHLY EXPENSES: \$ _____

XI. REQUIRED INCOME VERIFICATION:

You are required by the Trial Court to attach the following:

1. Your three most recent paycheck stubs.
2. A full and complete copy including all schedules of your last Federal Income Tax Return.
3. The first page of your last State Tax Return.

XII. ASSETS ACQUIRED PRIOR TO THE MARRIAGE OR THROUGH INHERITANCE OR GIFT (Whether now owned or not):
(Show significant assets only):

A. Assets Owned By You Prior To Marriage
(Value as of the date of marriage):

<u>ASSET</u>	<u>GROSS VALUE</u>	<u>LESS: LIENS/ MORTGAGES:</u>	<u>NET VALUE</u>	<u>VALUATION DATE</u>
_____	\$ _____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	\$ _____	_____
_____	\$ _____	\$ _____	\$ _____	_____

B. Assets Acquired By You During Marriage
Through Inheritance or Gifts (Value as
of Date of acquisition):

<u>ASSET</u>	<u>GROSS VALUE</u>	<u>LESS: LIENS/ MORTGAGES:</u>	<u>NET VALUE</u>	<u>VALUATION DATE</u>
_____	\$ _____	\$ _____	\$ _____	_____
Acquired from: _____				
_____	\$ _____	\$ _____	\$ _____	_____
Acquired from: _____				
_____	\$ _____	\$ _____	\$ _____	_____
Acquired from: _____				
_____	\$ _____	\$ _____	\$ _____	_____

II. SUMMARY OF ASSETS AND LIABILITIES AS OF DATE
OF FINAL SEPARATION:

<u>Assets</u>	<u>Husband</u>	<u>Wife</u>	<u>Jointly Owned</u>	<u>Total</u>
Family Dwelling	_____	_____	_____	_____
Other Real Property	_____	_____	_____	_____
Bank or Savings Accts	_____	_____	_____	_____
Stocks, Bonds, Securities	_____	_____	_____	_____
Notes & Accts Receivable	_____	_____	_____	_____
Household Furniture and Motor Vehicles	_____	_____	_____	_____
Life Insurance - Cash Surrender Value	_____	_____	_____	_____
Retirement Funds, Vested	_____	_____	_____	_____
Business Interests	_____	_____	_____	_____
Other Assets	_____	_____	_____	_____
TOTAL ASSETS:	_____	_____	_____	_____
<u>Liabilities</u>				
General Creditors	_____	_____	_____	_____
Mortgage on Family Dwelling	_____	_____	_____	_____
Mortgages on Other Real Property	_____	_____	_____	_____
Notes to Banks and Others	_____	_____	_____	_____
Loans on Ins. Policies	_____	_____	_____	_____
Other Liabilities	_____	_____	_____	_____
TOTAL LIABILITIES	_____	_____	_____	_____
ASSETS MINUS LIABILITIES	_____	_____	_____	_____

IV. PERSONAL STATEMENT REGARDING DIVISION OF PROPERTY:

Indiana law presumes that the marital property be split on a 50/50 basis. However, the Judge may order a division which may differ from an exact 50/50 division of your property. Please provide a brief statement as to your reasons, if any there be, why the Court should divide your property on anything other than a 50/50 basis.

XV. VERIFICATION & DUTY TO SUPPLEMENT OR AMEND:

I AFFIRM, under the penalties for perjury, that the foregoing representations are true to the best of my knowledge and belief. Further I understand that I am under a duty to supplement or amend this VERIFIED FINANCIAL DISCLOSURE STATEMENT prior to trial if I learn that the information which has been provided is either incorrect or the information provided is no longer true.

SO DECLARED this _____ day of _____, 199____.

Signature

(Printed Name)

STATE OF INDIANA)
COUNTY OF (county)~)

SS:

IN THE (which)~ COURT

199(year)~

IN RE THE MARRIAGE OF)
(petitioner)~)
AND)
(respondent)~)

No. (co # & div)~-9501-_____

CERTIFICATE OF NOTICE

(Counsel)~ hereby certifies that, pursuant to Local Rule 12:

_____ Opposing counsel has received notice by phone or FAX of the filing of the Motion for Emergency Order Ex Parte being filed this date.

_____ The following unsuccessful efforts were made to notify opposing counsel of the filing of the Motion for Emergency Order Ex Parte being filed this date:

-
-
-

_____ Notice to opposing counsel is not required by Local Rule 12 because:

_____ There has never been opposing counsel of record.

_____ Opposing counsel of record has been granted leave to withdraw.

_____ Though opposing counsel has not withdrawn, there are no Petitions or Motions pending, there have been no Petitions, Motions or Responsive Pleadings heard within the last 60 days, and there have been no Judgments, Decrees, Orders or Rulings entered, and no negotiations or conferences involving opposing counsel within the past 60 days.

_____ There is good cause why opposing counsel should not be notified, to wit:

-
-
-

[NOTE: The Notice required by this section need only be given by phone or FAX. The Notice given as required by this section will not be deemed to constitute service of process upon a party where service upon a party is required].

Attorneys may NOT use the rubber stamp provided by the court for the convenience of court and counsel when filing a Motion for Emergency Orders Ex Parte under this section without first bringing the matter to the attention of the judge and waiting for the judge to approve and sign the original Order. The Clerk of the Court will NOT enter the Temporary Restraining Order on the docket until the judge has approved and signed the original.

LOCAL RULE 12-M FORM

PROTECTIVE ORDERS AND RESTRAINING ORDERS

PROTECTIVE ORDERS

FORM 1 -- PETITION FOR EMERGENCY PROTECTIVE ORDER AND FOR ONE YEAR

PROTECTIVE ORDER---This form is used for all protective order requests when no other proceeding is pending. If a dissolution of marriage, child support or separation action is pending, then a Protective Order is not allowed. The petitioner must file for a Temporary Restraining Order. At the final hearing in a dissolution of marriage, child support or separation action, a Protective Order can be obtained in that cause of action if a petition is filed at that time even if no TRO was obtained during the provisional period. At any time past the final hearing date, if no TRO was obtained during the provisional period, an action for a Protective Order must be filed under a new cause number. If a TRO was obtained during the provisional period, then a Protective Order can be obtained at the final hearing and up to 60 days after the final hearing in that cause number. Be sure to check each case to determine if the parties have a pending case in any other court. This saves time, filing work, fees, and potentially conflicting orders.

FORM 2 -- PROTECTIVE ORDER--EMERGENCY or ONE YEAR

An Emergency Protective Order can be issued upon filing FORM 1 as necessary. The Emergency Protective Order is valid until the hearing at which time it expires unless the hearing is continued to a later date by the Court. The hearing must be within 30 days. If no service is obtained, a new Emergency Protective Order should be issued and a new hearing date set within an additional 30 days. A Protective Order is valid for one year and can be extended for one year.

If a Protective Order, or Emergency Protective Order, is issued by the filing of FORM 1, then a Summons, copy of FORM 1, and FORM 2 (less the Confidential page since one is contained in FORM 1) must be sent to the proper depositories as shown on FORM 2. If a Protective Order is issued from a dissolution, child support or separation action; be sure the confidential page is attached if none is filed with the motion for a Protective Order in that cause of action.

A Protective Order or Emergency Protective Order expires upon filing for dissolution of marriage, child support or separation and issuing a TRO.

FORM 3 -- PRO SE PETITION AND AFFIDAVIT FOR LEAVE TO PROCEED AS AN INDIGENT PERSON

FORM 3 is used as necessary if petitioner is unable to pay filing fees.

FORM 4 -- NOTICE OF EXTENSION OR MODIFICATION OF PROTECTIVE ORDER

FORM 4 is to be used as ordered by the Court. The confidential page is to be attached as necessary.

FORM 5 -- PRO SE MOTION AND ORDER FOR DISMISSAL

FORM 5 is used as petitioner requests. **NEVER ALLOW A PRO SE PETITIONER TO MOVE FOR DISMISSAL ON ORAL MOTION, THIS FORM MUST BE USED.**

**FORM 6 -- NOTICE OF TERMINATION OF PROTECTIVE ORDER OR
RESTRAINING ORDER**

FORM 6 is used any time a Protective Order is **DISMISSED**, an Emergency Order is **DISMISSED** or **REPLACED** by a Protective Order after hearing, a TRO is **DISMISSED** or **REPLACED** by another Restraining Order or Protective Order, any time a Restraining Order or Protective Order **EXPIRES BY ITS OWN TERMS** or the **TIME EXPIRED**, or by **OTHER COURT ORDER**.

NOTE: EVERY PROTECTIVE ORDER or TRO MUST HAVE THE CONFIDENTIAL PAGE ATTACHED UNLESS IT IS ATTACHED TO THE PETITION (if a petition is filed).

INTERNAL FORMS - FOR COURT USE ONLY

**FORM 7 -- NO CONTACT ORDER UPON RELEASE FROM CUSTODY ON BAIL
OR PERSONAL RECOGNIZANCE**

FORM 8 -- NO CONTACT ORDER WHILE ON PRETRIAL DIVERSION

FORM 9 -- NO CONTACT ORDER WHILE ON PROBATION

PETITION FOR EMERGENCY PROTECTIVE ORDER
AND
PETITION FOR HEARING FOR ONE YEAR
PROTECTIVE ORDER

STATE OF INDIANA
COUNTY OF HARRISON

IN THE HARRISON _____ COURT
CAUSE NO.: _____

PETITIONER

RESPONDENT

I AM THE PETITIONER, AND I STATE THAT THE FOLLOWING IS TRUE:

1. THE RESPONDENT HAS THREATENED TO DO OR HAS DONE THE FOLLOWING WITHIN THE LAST SIX MONTHS (CHECK ALL THAT APPLY):

A. _____ HAS ATTEMPTED TO OR HAS CAUSED ME
BODILY INJURY BY _____

B. _____ HAS ATTEMPTED TO OR HAS CAUSED A
MEMBER OF MY HOUSEHOLD BODILY INJURY BY _____

C. _____ HAS THREATENED, ATTEMPTED, OR CAUSED
HARM TO MY PROPERTY BY _____

D. _____ HAS THREATENED, ATTEMPTED, OR CAUSED
HARM TO MY PLACE OF EMPLOYMENT BY _____

2. (a) I AM ☐ , AM NOT ☐ , MARRIED TO THE RESPONDENT.

(If married, answer b & c)

(b) THERE IS ☐ , IS NOT ☐ , A DISSOLUTION OF MARRIAGE, LEGAL
SEPARATION, OR CHILD SUPPORT ACTION PENDING.

(c) A RESTRAINING ORDER HAS ☐ , HAS NOT ☐ , BEEN ISSUED UNDER
☐ IC 31-1-11.5-7(b)2, ☐ IC 31-1-11.5-7(b)3, ☐ IC 31-1-11.5-8.2

(d) I REQUEST THE COURT TO ORDER THE RESPONDENT TO (check request)

☐ VACATE THE DWELLING OF WHICH THE RESPONDENT IS NOT THE
SOLE OWNER OR LESSEE LOCATED AT _____

☐ NOT TRANSFER, ENCUMBER, DAMAGE, CONCEAL, OR OTHERWISE
DISPOSE OF ANY PROPERTY OF THE MARRIAGE

☐ PAY CHILD SUPPORT IN AMOUNT OF _____

☐ PAY MAINTENANCE IN THE AMOUNT OF _____

[] ATTEND COUNSELING SESSIONS AND RECEIVE DOMESTIC VIOLENCE EDUCATION

3. I REQUEST THAT THE COURT ORDER THE RESPONDENT TO REFRAIN FROM THE FOLLOWING TYPES OF CONDUCT: (check all that apply)

_____ TO REFRAIN FROM ABUSING OR THREATENING PETITIONER OR ANY MEMBER OF PETITIONER'S HOUSEHOLD.

_____ TO REFRAIN FROM ATTEMPTING CONTACT, EITHER DIRECTLY OR INDIRECTLY, THE PETITIONER OR A MEMBER OF THE PETITIONER'S HOUSEHOLD.

_____ TO REFRAIN FROM TRESPASSING OR ATTEMPTING TO ENTER THE PETITIONER'S HOME.

_____ TO REFRAIN FROM VISITING OR CONTACTING THE PETITIONER'S PLACE OF WORK OR WORK PLACE OF ANY MEMBER OF THE PETITIONER'S HOUSEHOLD.

_____ TO REFRAIN FROM DAMAGING PETITIONER'S PROPERTY.

_____ TO REFRAIN FROM VISITING OR CONTACTING THE SCHOOL OF THE PETITIONER'S CHILDREN.

_____ TO REFRAIN FROM VISITING OR CONTACTING THE DAYCARE CENTER OR BABYSITTER OF THE PETITIONER'S CHILDREN.

_____ OTHER: _____

4. _____ WITH THE FILING OF THIS PETITION, I AM ALSO REQUESTING THAT THE COURT SET A DATE FOR A PROTECTIVE ORDER HEARING.

5. THE UNDERSIGNED PETITIONER AFFIRMS UNDER THE PENALTIES FOR PERJURY THAT THE ABOVE STATEMENTS ARE TRUE.

PETITIONER'S SIGNATURE

PETITIONER'S PRINTED NAME

DATE: _____

PREPARED BY: (THIS IS MANDATORY AND NOT CONFIDENTIAL. IF PRO SE THIS MAY BE AN ALTERNATE ADDRESS FOR SERVICE ON PETITIONER)

NAME: _____

ATTY NO. (IF APPLICABLE)

ADDRESS: _____

CITY: _____

PHONE: _____

CONFIDENTIAL

FOR USE BY COURT OFFICIALS AND SHERIFF/POLICE ONLY

(6) PERSON PROTECTED (PETITIONER)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

HOME ADDRESS: _____

POSTAL ADDRESS(If different from home address): _____

DIRECTIONS TO HOME IF NOT EXPLICIT IN ADDRESS: _____

DOES THE PROTECTED PERSON LIVE WITHIN A MUNICIPAL BOUNDARY? [] YES [] NO
IF YES, WHICH MUNICIPALITY: _____

PHONE NO: (home) _____
(work) _____

DISCUSS WHEN PROTECTED PERSON CAN BE REACHED AT ABOVE PHONE NUMBERS: _____

(7) PERSON RESTRAINED(RESPONDENT)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

HOME ADDRESS: _____

POSTAL ADDRESS(If different from home address) _____

PHONE NO: (home) _____
(work) _____

LOCATION OF PLACE OF BUSINESS OR WHERE PERSON USUALLY OR IS OFTEN FOUND: _____

ANY SCARS OR TATTOOS? _____
IF YES, WHERE? _____

(8) LIST THE NAME(S) AND AGE(S) OF ANY PERSON(S) RESIDING AT THE PETITIONER'S HOUSEHOLD:

NAME: _____

AGE: _____

CONFIDENTIAL

FOR USE BY COURT OFFICIALS AND SHERIFF/POLICE ONLY

(6) PERSON PROTECTED (PETITIONER)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

HOME ADDRESS: _____

POSTAL ADDRESS(If different from home
address): _____

DIRECTIONS TO HOME IF NOT
EXPLICIT IN ADDRESS: _____

DOES THE PROTECTED PERSON
LIVE WITHIN A MUNICIPAL
BOUNDARY? [] YES [] NO
IF YES, WHICH MUNICIPALITY: _____

PHONE NO: (home) _____
(work) _____

DISCUSS WHEN PROTECTED
PERSON CAN BE REACHED AT
ABOVE PHONE NUMBERS: _____

(7) PERSON RESTRAINED(RESPONDENT)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

HOME ADDRESS: _____

POSTAL ADDRESS(If different from home
address) _____

PHONE NO: (home) _____
(work) _____

LOCATION OF PLACE OF
BUSINESS OR WHERE PERSON
USUALLY OR IS OFTEN FOUND: _____

ANY SCARS OR TATTOOS? _____
IF YES, WHERE? _____

**(8) LIST THE NAME(S) AND AGE(S) OF ANY PERSON(S) RESIDING AT THE
PETITIONER'S HOUSEHOLD:**

NAME: _____

AGE: _____

STATE OF INDIANA)
) SS:
COUNTY OF _____)

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE/SUPPORT/SEPARATION OF

Petitioner

vs

Respondent

PETITION FOR TR 65E-1 JOINT PRELIMINARY INJUNCTION

(Applicant's name), pursuant to TR 65E-1, avers and says as follows:

1. That (he/she) is the (petitioner/respondent) in the above styled cause of action.
2. That a joint preliminary injunction should be issued by the Court, without hearing or security, enjoining both parties from:
 - A. Transferring, encumbering, concealing, selling, or otherwise disposing of any joint property of the parties or assets of the marriage (except in the usual course of business or for the necessities of life), without the written consent of the parties or the permission of the Court.
 - B. Removing any child of the parties now residing in the State of Indiana with the intent to deprive the Court of jurisdiction over such child without the written consent of all parties or the permission of the Court.
3. That injury will result to the applicant if no immediate order is issued.

WHEREFORE, the (petitioner/respondent) prays the Court for a Joint Preliminary Injunction pursuant to TR 65E-1 without notice, hearing or surety, enjoining the parties as set out above.

(petitioner/respondent)

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: _____

(petitioner/respondent)

STATE OF INDIANA)
) SS:
COUNTY OF _____)

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE/SUPPORT/SEPARATION OF

Petitioner

vs

Respondent

JOINT PRELIMINARY INJUNCTION

The Court orders the parties as follows:

1. Both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any joint property of the parties or asset of the marriage (except in the usual course of business or for the necessities of life), without the written permission of the Court, and;
2. Both parties are enjoined from removing any child of the parties now residing in the State of Indiana with the intent to deprive the Court of jurisdiction over such child without the written consent of all parties or the permission of the Court.

This order shall remain in effect until the entry of a decree or final order or until modified or dissolved by the Court.

SO ORDERED this ____ day of _____, 199__.

Judge _____ Court

STATE OF INDIANA)
) SS:
COUNTY OF _____)

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE/SUPPORT/SEPARATION OF

Petitioner

vs

Respondent

PETITION FOR TR 65E-2 RESTRAINING ORDER

(Applicant's name), pursuant to TR 65E-2, avers and says as follows:

1. That (he/she) is the (petitioner/respondent) in the above styled cause of action.
2. That a restraining order should be issued by the Court enjoining the (respondent/petitioner) from:
 - [] Abusing, harassing, disturbing the peace of (petitioner/respondent),
 - [] Committing a battery on (petitioner/respondent),
 - [] Committing a battery on any child or step-child of the parties,
3. That a restraining order should be issued by the Court excluding the (respondent/petitioner) from:
 - [] The family dwelling, located at _____
 - [] The (respondent/petitioner's) dwelling, located at _____
 - [] Such other place as follows: _____
4. That injury will result to Applicant if no immediate order is issued.

WHEREFORE,)Petitioner/Respondent prays the Court for a Restraining Order pursuant to TR 65E-2 without notice, hearing or surety, enjoining the (respondent/petitioner) as set out above.

Petitioner/Respondent

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: _____

Petitioner/Respondent

STATE OF INDIANA)
) SS:
COUNTY OF _____)

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE/SUPPORT/SEPARATION OF

Petitioner

vs

Respondent

RESTRAINING ORDER (TR 65E-2)

The Court orders the (Respondent/Petitioner) to refrain from the following:

- ☐ Abusing, harassing, disturbing the peace of (petitioner/respondent)
- ☐ Committing a battery on (petitioner/respondent)
- ☐ Committing a battery on any child or step-child of the parties
- ☐ From coming on or about the family dwelling, located at _____
- ☐ From coming on or about the (respondent/petitioner's) dwelling, located at _____
- ☐ From such other place as follows: _____

This order shall remain in effect until the entry of a decree or final order or until modified or dissolved by the Court.

SO ORDERED this ____ day of _____, 199__.

Judge _____ Court

LOCAL RULE 12-L-2 FORM

STATE OF INDIANA)
)
COUNTY OF (county))

SS:

IN THE (which)~ COURT

199(year)~

(petitioner)~

AND

(respondent)~

No. (co # & div)~-9501-_____

MOTION and AFFIDAVIT FOR TEMPORARY RESTRAINING ORDERS

(movant's name)~, pursuant to I. C. 31-1-11.5-7(b), avers and states as follows:

(1) That (he/she)~ is the (petitioner/respondent)~ in the above-styled cause of action for (dissolution/separation/support)~;

(2) The following Temporary Restraining Orders should issue immediately and without notice:

(a) Restraining (whom?)~ from transferring, encumbering, concealing, or in any way disposing of any property (except in the usual course of business or for the necessities of life),
and/or

(b) Enjoining (petitioner/respondent)~ from abusing, harassing, or disturbing the peace of the (petitioner/respondent)~,
and/or

(c) Excluding (petitioner/respondent)~ from the family dwelling (or from the dwelling of the other, or from any other place),
and/or

(d) Granting temporary possession of (what property?)~ to (petitioner/respondent)~.

3) Irreparable injury, loss or damage will result to the applicant if a Temporary Restraining Order does not issue immediately, to wit:

(SPECIFY)~

WHEREFORE, the (movant)~ prays the Court for a Temporary Restraining Order pursuant I. C. 31-1-11.5-7(b) without notice or hearing, restraining the parties as set out above.

I AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(movant)

Subscribed and sworn to before me, this ____ day of (month)~, 199(year)~.

My Commission Expires:

Notary Public

County of Residence:

Printed Name

Prepared by:

(attorney name, number)~
(address, phone #)~

APPEARANCE FORM (CIVIL)

Responding Party

Case Number: _____
(Previously supplied by Clerk at the time of filing)

(File stamp)

/ / Check if Pro Se. NOTE: This form is not required for pro se protective orders.

1. _____
Name or names of responding party or parties
(Supply names of additional responding parties on continuation page.)

2. Address of pro se responding party or parties (as applicable for service of process):

Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
_____	_____

(Supply names of additional pro se responding parties on continuation page.)

3. Attorney information (as applicable for service of process):

Name: _____	Atty Number: _____
Address: _____	Phone: _____
_____	FAX: _____
_____	Computer Address: _____

(Supply information for additional attorneys on continuation page.)

4. Will responding party accept FAX service: Yes ___ No ___ If yes, FAX No. _____

5. Additional information required by state or local rule: _____

6. (Optional) Additional information to supplement the appearance form submitted by the initiating party: _____

APPEARANCE FORM (CIVIL) - Responding Party: Continuation Page

Case Number _____

Continuation of Item 1 (Names of responding parties):

Name _____
Name _____
Name _____
Name _____

Continuation of Item 2 (Address of *pro se* responding parties as applicable for service of process):

Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
_____	_____

Continuation of Item 3 (Attorney information, as applicable for service of process):

Name: _____	Atty Number: _____
Address: _____	Phone: _____
_____	FAX: _____
_____	Computer Address: _____
Name: _____	Atty Number: _____
Address: _____	Phone: _____
_____	FAX: _____
_____	Computer Address: _____
Name: _____	Atty Number: _____
Address: _____	Phone: _____
_____	FAX: _____
_____	Computer Address: _____
Name: _____	Atty Number: _____
Address: _____	Phone: _____
_____	FAX: _____
_____	Computer Address: _____

Authority: Pursuant to Trial Rule 3.1(B), this form shall be filed upon the first appearance in the case. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.

Use additional continuation pages if needed.

LOCAL RULE 12-G FORM

FINANCIAL DECLARATION FORM COMMENTARY

The form included herein is intended to expedite and facilitate the preparation for trial and disposition of contested marriage dissolution cases.

It is for use in all dissolution cases in which distribution of property is an issue. It is intended also to facilitate a full disclosure of all assets of the parties and should be supplemented where necessary to accomplish that purpose. If needed, use additional sheets and attach with appropriate references.

The parties shall stipulate in writing those assets and liabilities and other matters as to which there is no disagreement.

When supplying the information called for, give the actual or, where the nature of the assets requires, the appraised or estimated value (indicating which) of each asset at the date of the final separation of the parties.

If any asset is located outside the jurisdiction of this Court, state where it is located and, if necessary, give details on a separate sheet. Indicate how much of the value of each asset held in joint ownership was contributed by the husband (h) and how much by the wife (w).

The parties shall state under oath that they have made full disclosure of assets and liabilities.

The Court recognizes that this form calls for information that may not be appropriate in every case. In those cases in which it is not totally inappropriate, merely supply information appropriate to the case at hand and indicate those inquiries that are not applicable.

NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU MUST FILE YOUR VERIFIED FINANCIAL DISCLOSURE FORM WITH THE OPPOSING PARTY WITHIN 45 DAYS OF THE FILING DATE OF THIS CASE.

FAILURE TO COMPLY WILL RESULT IN YOUR ADMITTING ALL INFORMATION CONTAINED IN THE OPPOSING PARTY'S VERIFIED FINANCIAL DISCLOSURE FORM.

THE VERIFIED FINANCIAL DISCLOSURE FORMS CAN BE OBTAINED FROM THE COURT WHERE THIS ACTION IS FILED.

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT

CAUSE NO.: _____

PETITIONER

VS.

RESPONDENT

PROTECTIVE ORDER

TYPE OF PROTECTIVE ORDER: [] EMERGENCY [] STANDARD ONE YEAR

THE COURT ORDERS THAT THE RESPONDENT REFRAIN FROM THE
FOLLOWING: (all applicable items are checked)

- [] ABUSING, HARASSING, THREATENING OR DISTURBING THE PEACE OF
THE PETITIONER OR ANY MEMBER OF PETITIONER'S HOUSEHOLD BY
EITHER DIRECT OR INDIRECT CONTACT.
- [] ATTEMPTING TO CONTACT, EITHER DIRECTLY OR INDIRECTLY, THE
PETITIONER OR ANY MEMBER OF PETITIONER'S HOUSEHOLD.
- [] TRESPASSING OR ATTEMPTING TO ENTER PETITIONER'S DWELLING.
- [] VISITING OR CONTACTING PETITIONER'S PLACE OF WORK OR WORK
PLACE OF ANY MEMBER OF PETITIONER'S HOUSEHOLD.
- [] DAMAGING PETITIONER'S PROPERTY.
- [] VISITING OR CONTACTING THE SCHOOL OF PETITIONER'S CHILDREN.
- [] VISITING OR CONTACTING THE DAYCARE CENTER OR BABYSITTER OF
PETITIONER'S CHILDREN.
- [] OTHER RESTRICTIONS: _____

MARRIED PARTIES: THE PETITIONER AND RESPONDENT ARE MARRIED AND THERE ARE NO LEGAL PROCEEDINGS FOR A DISSOLUTION OF MARRIAGE, LEGAL SEPARATION OR CHILD SUPPORT PENDING BETWEEN THEM.

THE COURT ORDERS RESPONDENT AS FOLLOWS:

- ☐ RESPONDENT, NOT BEING THE SOLE OWNER OR LESSEE OF THE PETITIONER'S DWELLING, SHALL IMMEDIATELY VACATE THE DWELLING LEAVING THE PETITIONER IN EXCLUSIVE POSSESSION OF THE DWELLING.
- ☐ RESPONDENT SHALL NOT TRANSFER, ENCUMBER, DAMAGE, CONCEAL, OR OTHERWISE DISPOSE OF ANY PROPERTY OF THE PARTIES.
- ☐ RESPONDENT SHALL PAY CHILD SUPPORT TO PETITIONER IN THE AMOUNT OF \$_____ PER WEEK BEGINNING _____, TO BE PAID TO THE CLERK OF THE COURT.
- ☐ RESPONDENT SHALL PAY MAINTENANCE TO PETITIONER IN THE AMOUNT OF \$_____ PER WEEK BEGINNING _____, TO BE PAID TO THE CLERK OF THE COURT.
- ☐ RESPONDENT SHALL ATTEND COUNSELING SESSIONS AND RECEIVE DOMESTIC VIOLENCE EDUCATION AT THE TIME AND PLACE SPECIFIED BELOW: _____

THIS ORDER SHALL REMAIN IN EFFECT FOR:

- ☐ THIRTY (30) DAYS ☐ ONE (1) YEAR ☐ OTHER PERIOD PER COURT

THIS PROTECTIVE ORDER HAS BEEN ISSUED IN ACCORDANCE WITH:

- ☐ PROTECTIVE ORDER STATUTE IC 334-4-5.1 ☐ PRETRIAL STATUTE IC 35-33-8-3
☐ MARRIAGE DISSOLUTION STATUTE IC 31-1-11.5 ☐ PROBATION STATUTE IC 35-38-2-3
☐ PRETRIAL DIVERSION STATUTE IC 33-14-1-7

THE CLERK OF THE COURT SHALL PROVIDE A COPY OF THIS ORDER TO EACH PARTY, THE SHERIFF AND LAW ENFORCEMENT AGENCY WHERE PETITIONER RESIDES. THE SHERIFF AND LAW ENFORCEMENT AGENCY THAT RECEIVES A COPY OF THIS ORDER SHALL MAINTAIN A COPY OF THIS ORDER IN THE PROTECTIVE ORDER DEPOSITORY PURSUANT TO IC 5-9-2.

A PERSON WHO KNOWINGLY OR INTENTIONALLY VIOLATES THIS ORDER MAY BE CHARGED WITH THE OFFENSE OF INVASION OF PRIVACY, A CLASS "B" MISDEMEANOR, PUNISHABLE BY IMPRISONMENT OF UP TO 180 DAYS, AND A FINE OF \$1,000.00 (IC 35-46-1-15.1).

A PERSON WHO KNOWINGLY OR INTENTIONALLY VIOLATES A PROTECTIVE ORDER FOR A SECOND TIME INVOLVING THE SAME PROTECTED PERSON MAY RECEIVE SENTENCING AS A CLASS "A" MISDEMEANOR PUNISHABLE BY

IMPRISONMENT OF UP TO ONE (1) YEAR AND A FINE OF \$5,000.00 (IC 35-46-1-15.1).

PURSUANT TO IC 35-33-1-1(a)(6), A LAW ENFORCEMENT OFFICER MAY ARREST ANY PERSON WHEN THE OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT SUCH PERSON HAS VIOLATED THIS PROTECTIVE ORDER.

☐ A FURTHER HEARING HAS BEEN SET FOR _____ AT _____ AM/PM.

THE SHERIFF OR OTHER LAW ENFORCEMENT OFFICER IS HEREBY ORDERED TO SERVE A COPY OF THIS ORDER ON RESPONDENT.

SO ORDERED, this _____ day of _____, 1995.

JUDGE, HARRISON _____ COURT

cc: Harrison County Sheriff's Office

Corydon City Police Department

Petitioner

Respondent

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT

CAUSE NO.: _____

PETITIONER

VS.

RESPONDENT

**PRO SE PETITION AND AFFIDAVIT FOR LEAVE TO
PROCEED AS AN INDIGENT PERSON**

PETITIONER MOVES THE COURT FOR AN ORDER ALLOWING PETITIONER TO PROCEED AS AN INDIGENT PERSON WITHOUT BEING REQUIRED TO PAY A FILING FEE. IN SUPPORT OF THE FOREGOING, THE PETITIONER, BEING FIRST DULY SWORN, STATES THAT THE FOLLOWING IS TRUE:

1. I AM THE PETITIONER IN THIS CAUSE OF ACTION AND BECAUSE OF MY POVERTY I AM UNABLE TO MAKE PAYMENT OF THE COSTS OF THIS PROCEEDING OR TO GIVE SECURITY.

2. I DO NOT OWN SUFFICIENT REAL ESTATE, BANK ACCOUNTS, AUTOMOBILES, OR OTHER PERSONAL PROPERTY THAT WOULD ALLOW ME TO PAY SAID COURT COSTS.

PETITIONER'S SIGNATURE

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

DATE: _____

PETITIONER'S SIGNATURE

ORDER REGARDING FILING FEES

THE COURT, HAVING EXAMINED THE PETITION TO PROCEED AS AN INDIGENT PERSON AND THE AFFIDAVIT IN SUPPORT THEREOF, NOW ORDERS THAT THE PETITIONER NOT BE REQUIRED TO PAY THE FILING FEES IN THIS MATTER.

DATED: _____

JUDGE, HARRISON _____ COURT

SO ORDERED, this _____ day of _____, 1995.

HON. CARLTON E. SANDERS, JUDGE
HARRISON SUPERIOR COURT

**NOTICE OF EXTENSION OR MODIFICATION OF
PROTECTIVE ORDER**

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT

CAUSE NO.: _____

PETITIONER

VS.

RESPONDENT

**NOTICE IS HEREBY GIVEN THAT AN ORDER
PREVIOUSLY ISSUED UNDER THE PROVISIONS OF IC 5-2-9
HAS BEEN**

EXTENDED or MODIFIED

(1) PERSON PROTECTED:(PETITIONER)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

DOES THE PROTECTED PERSON
LIVE WITHIN A MUNICIPALITY?

IF YES, NAME: _____

(2) PERSON RESTRAINED:(RESPONDENT)

NAME: _____

AGE: _____ SS NO: _____ DOB: _____

HOME ADDRESS: _____

PHONE NO: HOME: _____

WORK: _____

LOCATION OF PLACE OF
BUSINESS OR WHERE PERSON
USUALLY OR OFTEN FOUND:

(3) REASON FOR EXTENSION OR MODIFICATION:

☐ EXTENDED DUE TO:

☐ MOTION FOR CONTINUANCE--HEARING DATE MOVED TO THE _____
DAY OF _____, 199____. CONDITIONS OF PROTECTIVE ORDER
REMAIN IN EFFECT AND UNCHANGED.

☐ RENEWAL OF EXISTING PROTECTIVE ORDER; TERMINATION DATE
CHANGED TO THE _____ DAY OF _____, 199____.
AS PER ATTACHED ORDER.

CONDITIONS OF PROTECTIVE ORDER REMAIN UNCHANGED.

☐ MODIFIED DUE TO:

☐ PETITIONER'S OR RESPONDENT'S CHANGE OF ADDRESS (NOTE: PAGE 4 OF THIS FORM NEEDS TO BE COMPLETED ONLY WHEN THIS APPLIES).

☐ CONDITIONS OF THE PROTECTIVE ORDER HAVE BEEN MODIFIED (AS PER ATTACHED ORDER).

☐ OTHER (AS PER ATTACHED ORDER).

(4) DATE ORDER WAS ISSUED: _____

(5) DATE ORDER WAS MODIFIED OR EXTENDED: _____

(6) DATE ORDER WILL TERMINATE: _____

(7) TYPE OF ACTION:

☐ TEMPORARY RESTRAINING ORDER: DISSOLUTION OF MARRIAGE(IC 31-1-11.5-7)

☐ ABUSING, HARASSING, DISTURBING THE PEACE(IC 31-1-11.5-7(B)2)

☐ EXCLUSION FROM DWELLING(IC 31-1-11.5-7(B)3)

☐ JUVENILE COURT DISPOSITIONAL DECREE(IC 31-6-4-15.4 or IC 31-6-4-15.9)

☐ JUVENILE COURT ORDER(IC 31-6-7-14)

☐ PRETRIAL DIVERSION(IC 33-14-1-7)

☐ EMERGENCY PROTECTIVE ORDER(IC 34-4-5.1-2.3)

☐ PROTECTIVE ORDER(IC 34-4-5.1-5 or IC 31-1-11.5-8.2)

☐ PRETRIAL RELEASE CONDITION OF BAIL(IC 35-38-8-3)

☐ CONDITION OF PROBATION(IC 35-38-2-2)

(8) PREPARED BY:

NOTICE TO PETITIONER--THE ADDRESS LISTED HERE IS FOR SERVICE ON THE PETITIONER AND THE ADDRESS LISTED HERE WILL NOT BE KEPT CONFIDENTIAL. IF THIS PRO SE, THE PETITIONER MAY USE AN ALTERNATE ADDRESS THAT THE ONE USED ON THE CONFIDENTIAL FORM.

NAME: _____

ADDRESS: _____

CITY: _____

PHONE: _____

ATTORNEY NO.(IF APPLICABLE): _____

LOCAL CRIMINAL RULE 4

NOTICE OF JURY

For all civil causes of action set for trial by jury, the counsel for the party requesting the jury shall, not later than Ten (10) days before the trial, notify the Court, in writing of the party being ready for trial. Should the notice to the Court not be timely made, the cause shall be tried before the Court and the Court will show the parties right to a trial by jury is waived.

Upon good cause shown the cause may be removed from the Court's trial calendar and rescheduled for a later time, as the Courts calendar will permit.

The Court shall not be receptive to a plea agreement between the parties, at any time after the Ten (10) days period. The Court will entertain a plea to the Court.

RULE 25

NOTICE OF JURY

FOR ALL CIVIL CAUSES OF ACTIONS SET FOR TRIAL BY JURY, THE COUNSEL FOR THE PARTY REQUESTING THE JURY SHALL, WITHIN A 12-7 DAY WINDOW BEFORE THE TRIAL, NOTIFY THE COURT, IN WRITING OF ALL PARTIES BEING READY FOR TRIAL. SHOULD THE NOTICE TO THE COURT NOT BE TIMELY MADE, THE CAUSE SHALL BE TRIED BEFORE THE COURT AND THE COURT WILL SHOW THE PARTIES RIGHT TO A TRIAL BY JURY WAIVED.

UPON GOOD CAUSE SHOWN THE CAUSE MAY BE REMOVED FROM THE COURT'S TRIAL CALENDAR AND RESCHEDULED FOR A LATER TIME, AS THE COURT'S CALENDAR WILL PERMIT.

APPENDIX

LOCAL RULE 3-A FORMS

INSTRUCTIONS FOR APPEARANCE FORMAT FOR ATTORNEYS - CIVIL CASES

This instruction is offered to explain the *Appearance by Attorneys in Civil Cases* format dated 4/1/95 and approved by the Division of State Court Administration in accordance with Trial Rule 3.1. This format should not be used by *pro se* litigants. Previously published formats may still be used by all persons.

Please note that this is an approved *format*. An attorney may copy the format and fill in the blank places as appropriate. Alternatively, an attorney may create a document "in house" that resembles the format. In that this format seeks to standardize practice and data gathering in courts, if a document is created in house, the requested information should be presented under the same paragraph number and in the same sequence as set forth in this format.

Purpose: This format permits attorneys to meet the filing requirements of Trial Rules 3.1, 5(B)(2) and 77(B). Additionally, the format has been structured for use as a "traditional" appearance pleading, although this practice varies widely around the state. The goal is to provide a document that allows attorneys to provide courts with the information needed for case management and advise all other parties of the representation.

Party Classification: The format uses the term "party classification" to designate the status of a litigant in a legal proceeding. For case management purposes (e.g. cost allocations), it is important to know if the litigant brings an action, defends in an action, or joins the action. Respectively, these party classifications have been assigned the administrative designations of "initiating," "responding," and "intervening." Thus, in a tort case, the "initiating" party would be the plaintiff; the "responding" party would be the defendant; and a third-party litigant would be an "intervening" party. In domestic relations cases, the "initiating party" would be the petitioner and the respondent would be the "responding" party.

Paragraph 1 - Party Member Represented: Paragraph 1 asks that the attorney specifically state what party member or members the attorney represents. The term "party member" is intended to distinguish between litigants sharing a party classification. Accordingly, each litigant initiating a lawsuit as multiple plaintiffs is a "party member." The same applies for multiple defendants and multiple intervenors. It is very important for courts and litigants to know if there are multiple members of a party and who represents each of the members.

Paragraph 2 - Attorney Information - FAX and Computer Address: This format is intended to provide information which is required by rule and will aid in communication. Trial Rule 5(B)(2) provides that service by mail to the name and address provided by an attorney to the court is good service. This format incorporates Trial Rule 5(B)(2). Over and above service, it is imperative for case management purposes that all potential avenues of communication be known by the litigants. This is the reason for the requirement in Trial Rule 3.1 for FAX and computer addresses. Accordingly, even though an attorney may not want to rely on FAX or Internet for receipt of service, if an attorney has a public FAX and computer address, this information will aid in communication and is required. (If an attorney will accept FAX service, a positive statement in that regard is required under paragraph five. The rules currently do not contemplate official service by Internet or other computer to computer communication process.)

Paragraph 3 - Other Party Members: Paragraph 3 asks attorneys to list other members of the same party classification who are not represented by this attorney. For example, an attorney for one plaintiff would list all other plaintiffs, but not any defendants. The purpose of this paragraph is to define the nature of the party; it is not a "proof of service" listing.

Paragraph 4 - Case Type: The first initiating party (only the first) is required to advise the Clerk of the case type to be assigned. For example, the attorney who files the case needs to distinguish between Civil Plenary and

Tort. The case type assigned, in good measure, determines how a proceeding will be processed, what costs are assessed, whether individuals are required to intervene, and where the case will be assigned for resolution. For this reason, it must reflect the decision of the attorney filing the case.

Paragraph 5 - Service by FAX: Paragraph 5 requires an attorney to specifically state whether or not he or she will accept service by FAX. If yes, service by FAX to the telephone number set out in paragraph 2 will constitute good service. This is strictly a permissive method of service.

Paragraph 6 - Cases Involving Support: Paragraph 6 asks the attorney to affirmatively state whether the case involves support. If so, the court will need social security numbers in the administration of the case. The parties are the only ones who can provide this information.

Paragraph 7 - Related Cases: Paragraph 7 requires parties to inform the court if there are related cases. The purpose of this provision is to inform the court if there is other litigation which may affect or be affected by a decision in this litigation. For example, in a domestic relations case, the parties should inform the Court of a CHINS case that may be pending. Other examples include mass tort situations or common litigants in a continuing business setting. The purpose is to serve judicial administration. Listing another case does not constitute some concession of *res judicata* application.

Paragraph 8 - Service of Appearance: Generally, under Trial Rule 5, service of pleadings and papers involves filing information with the court and serving other parties with specified documentation. The traditional "appearance" document filed and served substantially involves local rule and custom. Trial Rule 3.1 alters local rule and custom only to the extent such rule standardizes the information required by the court at the time a party enters his or her appearance. Paragraph 8 permits this format to be used as a traditional "appearance" document and be served consistent with Trial Rule 5, if it otherwise complies with local rules. Redundancy, however, is not required; in the event a party serves the appearance document along with other pleadings or papers wherein the attorney certifies service of the appearance document, a separate certificate of service for such appearance document is not required.

Paragraph 9 - Local Requirements: This paragraph is to be used in the event there are local requirements that must be included in this form.

Continuation Page(s): The continuation page or pages is intended to permit an attorney to complete information set forth on the first page of the appearance form. Use as many continuation pages as are needed to complete the request for information. List the case number and the first party member listed on the appearance form on all continuation pages. This is very important for cross-referencing the continuation pages and the appearance form. In the event the first page completes the request for information, a blank continuation page is not needed.

Should you have any questions or comments about this format, you may contact the Division of State Court Administration at the following address:

115 W. Washington Street, Suite 1080
Indianapolis, Indiana 46204-3417

Phone: (317) 232-2542
FAX: (317) 233-6586

*The Appearance Format may be found on the Supreme Court Bulletin Board under: 040101.BAK
This instruction may be found on the Supreme Court Bulletin Board under: 040102.BAK*

APPEARANCE FORM (CRIMINAL)

State of Indiana

Case Number: _____
(To be supplied by Clerk at the time of filing)

(File stamp)

1. Name of Defendant(s): _____

[See Administrative Rule 1(B)(4) for multiple charges or defendants]

2. Case Type of proceeding: _____
[See Administrative Rule 8(B)(3)]

3. Prosecuting Attorney information (as applicable):

Name: _____

Attorney No. _____

Address: _____

Phone: _____

FAX: _____

Computer Address: _____

Deputy assigned case (Optional): _____

4. Will the State accept service by FAX: Yes ___ No ___

5. Arrest report number (Originating Agency Case Number): _____

6. Additional information required by state or local rule: _____

Authority: Pursuant to Criminal Rule 2.1(A), this form shall be filed at the time a criminal proceeding is commenced. In emergencies, the requested information shall be supplied when it becomes available. Parties shall advise the court of a change in information previously provided to the court. This format is approved by the Division of State Court Administration.

IN THE HARRISON _____ COURT
STATE OF INDIANA

APPEARANCE FORM
CRIMINAL
DEFENDANT

Case Number: _____

/ / Check if Pro Se.

1. Name of Defendant(s): _____

2. Defense Attorney information:

Name: _____

Address: _____

Atty Number: _____

Phone: _____

FAX: _____

Computer Address: _____

3. Will Defendant accept service by FAX: yes ___ no ___ If yes, FAX No.: _____

4. Additional information required by state or local rule: _____

IN THE HARRISON _____ COURT
STATE OF INDIANA

APPEARANCE FORM
CIVIL
INITIATING PARTY

Case Number: _____

/ / Check if Pro Se.

1. _____
Name of first initiating party

2. _____
Telephone number

3. Attorney information:

Name: _____
Address: _____

Atty Number: _____
Phone: _____
FAX: _____
Computer Address: _____

4. Case type requested: _____

5. Will accept FAX: yes ___ no ___

6. Social Security numbers of all family members in proceedings involving support issues.

Name: _____
Name: _____
Name: _____
Name: _____

SS# _____
SS# _____
SS# _____
SS# _____

7. Are there related cases? yes ___ no ___

If yes, list case and number below:

Caption: _____
Caption: _____

Case Number: _____
Case Number: _____

8. Additional information required by state or local rule: _____

IN THE HARRISON _____ COURT
STATE OF INDIANA

APPEARANCE FORM
CIVIL
RESPONDING PARTY

Case Number: _____

/ / Check if Pro Se.

1. _____
Name(s) of responding party or parties

2. Address of pro se responding party or parties

Name: _____
Address: _____

Name: _____
Address: _____

3. Attorney information:

Name: _____
Address: _____

Atty Number: _____
Phone: _____
FAX: _____
Computer Address: _____

4. Will responding party accept FAX: yes ___ no ___ If yes, FAX No.: _____

5. Additional information required by state or local rule: _____

6. Additional information to supplement the appearance form submitted by the initiating party: _____

IN THE HARRISON _____ COURT
STATE OF INDIANA

APPEARANCE FORM
- CIVIL
INTERVENING PARTY

Case Number: _____

/ / Check if Pro Se.

1. Information about intervening party or parties:

Name: _____

Address: _____

Phone: _____

Name: _____

Address: _____

Phone: _____

2. Attorney information:

Name: _____

Address: _____

Atty Number: _____

Phone: _____

FAX: _____

Computer Address: _____

3. Will responding party accept FAX: yes ____ no ____ If yes, FAX No.: _____

4. Additional information required by state or local rule: _____

5. Additional information to supplement the appearance form submitted by the initiating party: _____

LOCAL RULE 12-C FORM

Each party shall complete that portion of the worksheet that applies to them, sign the form and file it with the court. This worksheet shall also be used for preliminary hearings.

IN RE:

CAUSE NO:

FATHER:

MOTHER:

WORKSHEET - CHILD SUPPORT OBLIGATION

Children	DOB	Children	DOB

	FATHER	MOTHER	
1. WEEKLY GROSS INCOME			
A. Child Support/Court Order			
B. Child Support/Legal Duty			
C. Health Ins. Premium for Children			
D. Maintenance Paid			
E. WEEKLY ADJUSTED INCOME (WAI) Line 1 minus 1A, 1B, 1C and 1D			
2. PERCENTAGE SHARE OF TOTAL WAI	%	%	
A. Work-Related Child Care Expense			
3. COMBINED WEEKLY ADJUSTED INCOME Line 1E minus Line 2A			
4. BASIC CHILD SUPPORT OBLIGATION Apply CWAI to Guideline Schedules			
A. Work-Related Child Care Expense			
B. Extraordinary Health Care Expense			
C. Extraordinary Educational Expense			
5. TOTAL CHILD SUPPORT OBLIGATION Line 4 plus 4A, 4B and 4C			
6. PARENT'S CHILD SUPPORT OBLIGATION Line 2 times Line 5			
7. RECOMMENDED CHILD SUPPORT ORDER			

EXPLAIN ANY DEVIATION FROM GUIDELINE SCHEDULES IN ORDER/DECREE.

I affirm under penalties for perjury that the foregoing representations are true.

Father: _____

LOCAL RULE 12-L-1 FORM

Current Fair Market Value: _____

[illegible]

(9) FOR USE BY THE CLERK OF COURT

NOTICE OF EXTENSION OR MODIFICATION HAS BEEN SENT TO THE
FOLLOWING PROTECTIVE ORDER DEPOSITORIES:

- ☐ SHERIFF OF HARRISON COUNTY
- ☐ SHERIFF OF _____ COUNTY
- ☐ LAW ENFORCEMENT AGENCY OF CORYDON, WHERE PETITIONER RESIDES
- ☐ LAW ENFORCEMENT AGENCY OF _____, WHERE PETITIONER
RESIDES.

DATE: _____

CLERK, HARRISON _____ COURT

CONFIDENTIAL PAGE**CHANGE OF ADDRESS**

PETITIONER

CAUSE NO.: _____

VS.

RESPONDENT

PROTECTED PERSON: _____

AGE: _____ DOB: _____ SS NO: _____

ADDRESS: _____ ALTERNATIVE ADDRESS: _____

PHONE: _____ PHONE: _____

☐ YES ☐ NO

WITHIN A MUNICIPAL BOUNDARY?

☐ YES ☐ NO

WHICH MUNICIPALITY?

RESTRAINED PERSON: _____

ADDRESS: _____

PHONE: _____

AGE: _____ DOB: _____ SS NO.: _____

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT

CAUSE NO.: _____

PETITIONER

VS.

RESPONDENT

PRO SE MOTION AND ORDER FOR DISMISSAL

THE PETITIONER MOVES THE COURT FOR A DISMISSAL OF THIS
PROTECTIVE ORDER CASE.

DATE: _____

PETITIONER'S SIGNATURE

ORDER OF DISMISSAL

THE COURT FINDS THAT THE PETITIONER HAS MOVED FOR A
DISMISSAL OF THIS PROTECTIVE ORDER CASE. THE COURT THEREFORE
ORDERS THIS CASE DISMISSED.

SO ORDERED, THIS ____ DAY OF _____, 1995.

JUDGE, HARRISON _____ COURT

NOTICE OF TERMINATION OF
PROTECTIVE ORDER OR
RESTRAINING ORDER

STATE OF INDIANA)
) SS:
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT

CAUSE NO.: _____

PETITIONER

VS.

RESPONDENT

**NOTICE IS HEREBY GIVEN THAT AN ORDER PREVIOUSLY ISSUED
UNDER THE PROVISIONS OF IC 5-2-9
HAS BEEN
TERMINATED**

(1) PERSON PROTECTED:(PETITIONER)
NAME: _____
AGE:___ SS NO:_____ DOB:_____

DOES THE PROTECTED PERSON
LIVE WITHIN A MUNICIPALITY?
IF YES, NAME: _____

(2) PERSON RESTRAINED:(RESPONDENT)
NAME: _____
AGE:___ SS NO:_____ DOB:_____

PHONE NO.: HOME: _____
 WORK: _____
LOCATION OF PLACE OF
BUSINESS OR WHERE PERSON
USUALLY OR OFTEN FOUND: _____

HOME ADDRESS: _____

(3) REASON FOR TERMINATION:

- [] EXPIRATION OF ONE YEAR OR OTHER TIME PROVIDED IN THE ORDER
- [] ENTRY OF FINAL DECREE OF DISSOLUTION, FILED _____
- [] NEW PROTECTIVE ORDER ISSUED IN DISSOLUTION DECREE THEREBY
TERMINATING THE TEMPORARY RESTRAINING ORDER
- [] DISMISSAL OF ACTION (COPY OF DISMISSAL OR CCS ATTACHED)
- [] ORDER (ORDER MUST BE ATTACHED)
- [] PROTECTIVE ORDER HEARING HELD, EMERGENCY PROTECTIVE ORDER HAS
BEEN TERMINATED, AND NEW PROTECTIVE ORDER IS BEING ISSUED

(4) DATE ORDER WAS ISSUED: _____

(5) DATE ORDER WILL TERMINATE: _____

(6) TYPE OF ACTION:

- ☐ TEMPORARY RESTRAINING ORDER: DISSOLUTION OF MARRIAGE (IC 31-1-11.5-7)
☐ ABUSING, HARASSING, DISTURBING THE PEACE (IC 31-1-11.5-7(B)2)
☐ EXCLUSION FROM DWELLING (IC 31-1-11.5-7(B)3)
☐ JUVENILE COURT DISPOSITIONAL DECREE (IC 31-6-4-15.4 or IC 31-6-4-15.9)
☐ JUVENILE COURT ORDER (IC 31-6-7-14)
☐ PRETRIAL DIVERSION (33-14-1-7)
☐ EMERGENCY PROTECTIVE ORDER (IC 34-4-5.1-2.3)
☐ PROTECTIVE ORDER (IC 34-4-5.1-5 or IC 31-1-11.5-8.2)
☐ PRETRIAL RELEASE CONDITION OF BAIL (IC 35-38-8-3)
☐ CONDITION OF PROBATION (IC 35-38-2-2)

(7) PREPARED BY:

NOTICE TO PETITIONER--THE ADDRESS LISTED HERE IS FOR SERVICE ON THE PETITIONER AND THE ADDRESS LISTED HERE WILL NOT BE KEPT CONFIDENTIAL. IF THIS IS PRO SE, THE PETITIONER MAY USE AN ALTERNATE ADDRESS THAN THE ONE USED ON THE CONFIDENTIAL FORM.

NAME: _____

ADDRESS: _____

CITY: _____

PHONE: _____

ATTORNEY NO. (IF APPLICABLE): _____

(8) FOR USE BY THE CLERK OF COURT

NOTICE OF TERMINATION HAS BEEN SENT TO THE FOLLOWING PROTECTIVE ORDER DEPOSITORIES:

- ☐ SHERIFF OF HARRISON COUNTY
☐ SHERIFF OF _____ COUNTY
☐ LAW ENFORCEMENT AGENCY OF CORYDON, WHERE PETITIONER RESIDES
☐ LAW ENFORCEMENT AGENCY OF _____, WHERE PETITIONER RESIDES

DATE: _____

CLERK, HARRISON _____ COURT

**NO CONTACT ORDER UPON RELEASE FROM
CUSTODY ON BAIL OR PERSONAL RECOGNIZANCE**

STATE OF INDIANA)
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT
CAUSE NO.: _____

STATE OF INDIANA

VS.

DEFENDANT

DEFENDANT

NAME: _____
RACE: _____
HOME ADDRESS: _____

DOB: _____
SEX: _____
POSTAL ADDRESS: _____

HOME TELEPHONE: _____
LOCATION OF PLACE OF BUSINESS
WHERE DEFENDANT USUALLY OR
OFTEN FOUND: _____

WORK TELEPHONE: _____
ANY SCARS OR TATTOOS? _____
IF YES, WHERE LOCATED: _____

THE DEFENDANT IN PERSON, AND BY COUNSEL (if applicable), AND THE STATE OF INDIANA BY THE PROSECUTING ATTORNEY (or deputy), AND THE STATE OF INDIANA HAVING MOVED THE COURT FOR AN ORDER RESTRICTING THE DEFENDANT FROM HAVING CONTACT WITH THE VICTIM OR VICTIMS IN THIS CASE, THE COURT HAVING HEARD TESTIMONY, FINDS THAT SUCH AN ORDER IS NECESSARY TO PRESERVE THE PEACE AND DIGNITY OF THE COMMUNITY.

AS A CONDITION OF THE DEFENDANT'S RELEASE FROM CUSTODY PENDING TRIAL, IN ADDITION TO ALL OTHER CONDITIONS PREVIOUSLY ORDERED:

1. THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH

IN PERSON, BY TELEPHONE OR LETTER, THROUGH AN INTERMEDIARY, OR IN ANY OTHER WAY, DIRECTLY OR INDIRECTLY; EXCEPT THROUGH AN ATTORNEY OF RECORD, WHILE RELEASED FROM CUSTODY PENDING TRIAL.

2. THE DEFENDANT **SHALL NOT VISIT** THE FOLLOWING LOCATIONS DURING THE PERIOD OF RELEASE: _____

THIS ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE HAS BEEN TRIED
AND THE DEFENDANT HAS BEEN SENTENCED IF FOUND GUILTY.

**VIOLATION OF THIS ORDER CONSTITUTES VIOLATIONS
OF IC 35-33-8-5, PUNISHABLE BY A REVOCATION OF BAIL OR
RELEASE OF PERSONAL RECOGNIZANCE, AND IC 35-46-1-15.1,
A VIOLATION OF THE INVASION OF PRIVACY LAW.**

DATE: _____

JUDGE, HARRISON _____ COURT

STATEMENT OF DEFENDANT

I HAVE READ THE ORDER WHICH APPEARS ON THE FRONT SIDE OF THIS
FORM. I UNDERSTAND THAT VIOLATION OF THIS ORDER CONSTITUTES A
VIOLATION OF IC 35-33-8-5, PUNISHABLE BY A REVOCATION OF EITHER MY BAIL
OR RELEASE ON MY OWN RECOGNIZANCE, AS WELL AS A FINDING THAT I AM IN
CONTEMPT OF COURT, AS WELL AS FACING A POSSIBLE ARREST FOR INVASION
OF PRIVACY PURSUANT TO IC 35-46-1-15.1. A COPY OF THIS ORDER HAS BEEN
GIVEN TO ME ON THE DATE FOLLOWING: _____

DEFENDANT'S SIGNATURE _____

NO CONTACT ORDER WHILE ON PRETRIAL DIVERSION

STATE OF INDIANA)
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT
CAUSE NO.: _____

STATE OF INDIANA

VS.

DEFENDANT

DEFENDANT

NAME: _____

DOB: _____

RACE: _____

SEX: _____

HOME ADDRESS: _____

POSTAL ADDRESS: _____

HOME TELEPHONE: _____

WORK TELEPHONE: _____

LOCATION OF PLACE OF BUSINESS
WHERE DEFENDANT USUALLY OR
OFTEN FOUND: _____

ANY SCARS OR TATTOOS? _____
IF YES, WHERE LOCATED: _____

THE DEFENDANT IN PERSON, AND BY COUNSEL (if applicable), AND THE STATE OF INDIANA BY THE PROSECUTING ATTORNEY (or deputy), THE COURT FINDS THAT THE DEFENDANT SHOULD HAVE NO CONTACT WITH THE VICTIM OR VICTIMS IN THIS CASE AS A CONDITION OF PRETRIAL DIVERSION AND FURTHER FINDS THAT SUCH AN ORDER IS NECESSARY TO PRESERVE THE PEACE AND DIGNITY OF THE COMMUNITY.

AS A CONDITION OF THE DEFENDANT'S PRETRIAL DIVERSION, IN ADDITION TO ALL OTHER CONDITIONS PREVIOUSLY ORDERED:

1. THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH

IN PERSON, BY TELEPHONE OR LETTER, THROUGH AN INTERMEDIARY, OR IN ANY OTHER WAY, DIRECTLY OR INDIRECTLY; EXCEPT THROUGH AN ATTORNEY OF RECORD, WHILE ON PRETRIAL DIVERSION. THIS INCLUDES, BUT IS NOT LIMITED TO, ACTS OF HARASSMENT, INTIMIDATION OR THREATS.

2. THE DEFENDANT SHALL NOT VISIT THE FOLLOWING LOCATIONS DURING THE PERIOD OF PRETRIAL DIVERSION: _____

THIS ORDER SHALL REMAIN IN EFFECT UNTIL PRETRIAL DIVERSION HAS BEEN TERMINATED OR BY FURTHER ORDER OF THE COURT.

VIOLATION OF THIS ORDER CONSTITUTES VIOLATIONS OF IC 33-14-1-7, PUNISHABLE BY A REVOCATION OF PRETRIAL DIVERSION, AND IC 35-46-1-15.1, VIOLATION OF THE INVASION OF PRIVACY LAW.

ORDER TO LAW ENFORCEMENT OFFICERS

IF YOU DETERMINE THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT IS IN VIOLATION OF THIS ORDER, YOU ARE HEREBY COMMANDED TO TAKE THE DEFENDANT INTO CUSTODY AND BRING THE DEFENDANT BEFORE THIS COURT AT ITS NEXT CONVENING TO SHOW WHY THE DEFENDANT SHOULD NOT BE HELD IN CONTEMPT OF COURT.

DATE: _____

JUDGE, HARRISON _____ COURT

STATEMENT OF DEFENDANT

I HAVE READ THE ORDER WHICH APPEARS ON THE FRONT SIDE OF THIS FORM. I UNDERSTAND THAT VIOLATION OF THIS ORDER CONSTITUTES A VIOLATION OF IC 33-14-1-7, PUNISHABLE BY A REVOCATION OF PRETRIAL DIVERSION, AS WELL AS A FINDING THAT I AM IN CONTEMPT OF COURT, AS WELL AS FACING A POSSIBLE ARREST FOR INVASION OF PRIVACY PURSUANT TO IC 35-46-1-15.1. a COPY OF THIS ORDER HAS BEEN GIVEN TO ME ON THE DATE FOLLOWING: _____

DEFENDANT'S SIGNATURE

NO CONTACT ORDER WHILE ON PRETRIAL DIVERSION HAS BEEN SENT TO THE FOLLOWING PROTECTIVE ORDER DEPOSITORIES:

- ☐ SHERIFF OF HARRISON COUNTY
- ☐ SHERIFF OF _____ COUNTY
- ☐ LAW ENFORCEMENT AGENCY OF CORYDON, WHERE PETITIONER RESIDES
- ☐ LAW ENFORCEMENT AGENCY OF _____, WHERE PETITIONER RESIDES

DATE: _____

CLERK, HARRISON _____ COURT

NO CONTACT ORDER WHILE ON PROBATION

STATE OF INDIANA)
COUNTY OF HARRISON)

IN THE HARRISON _____ COURT
CAUSE NO.: _____

STATE OF INDIANA

VS.

DEFENDANT _____

DEFENDANT

NAME: _____
RACE: _____
HOME ADDRESS: _____

DOB: _____
SEX: _____
POSTAL ADDRESS: _____

HOME TELEPHONE: _____
LOCATION OF PLACE OF BUSINESS
WHERE DEFENDANT USUALLY OR
OFTEN FOUND: _____

WORK TELEPHONE: _____
ANY SCARS OR TATTOOS? _____
IF YES, WHERE LOCATED: _____

THE DEFENDANT IN PERSON, AND BY COUNSEL (if applicable), AND THE STATE OF INDIANA BY THE PROSECUTING ATTORNEY (or deputy), THE COURT FINDS THAT THE DEFENDANT SHOULD HAVE NO CONTACT WITH THE VICTIM OR VICTIMS IN THIS CASE AS A CONDITION OF PROBATION AND FURTHER FINDS THAT SUCH AN ORDER IS NECESSARY TO PRESERVE THE PEACE AND DIGNITY OF THE COMMUNITY.

AS A CONDITION OF THE DEFENDANT'S PROBATION, IN ADDITION TO ALL OTHER CONDITIONS PREVIOUSLY ORDERED:

1. THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH

IN PERSON, BY TELEPHONE OR LETTER, THROUGH AN INTERMEDIARY, OR IN ANY OTHER WAY, DIRECTLY OR INDIRECTLY; EXCEPT THROUGH AN ATTORNEY OF RECORD, WHILE ON PROBATION. THIS INCLUDES, BUT IS NOT LIMITED TO, ACTS OF HARASSMENT, INTIMIDATION OR THREATS.

2. THE DEFENDANT **SHALL NOT VISIT** THE FOLLOWING LOCATIONS DURING THE PERIOD OF PROBATION: _____

THIS ORDER SHALL REMAIN IN EFFECT UNTIL PROBATION HAS BEEN
TERMINATED OR BY FURTHER ORDER OF THE COURT.

**VIOLATION OF THIS ORDER CONSTITUTES VIOLATIONS OF IC 35-
38-2-3, PUNISHABLE BY A REVOCATION OF PROBATION, AND IC 35-46-1-
15.1, VIOLATION OF THE INVASION OF PRIVACY LAW.**

ORDER TO LAW ENFORCEMENT OFFICERS

IF YOU DETERMINE THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT
THE DEFENDANT IS IN VIOLATION OF THIS ORDER, YOU ARE HEREBY
COMMANDED TO TAKE THE DEFENDANT INTO CUSTODY AND BRING THE
DEFENDANT BEFORE THIS COURT AT ITS NEXT CONVENING TO SHOW WHY THE
DEFENDANT SHOULD NOT BE HELD IN CONTEMPT OF COURT.

DATE: _____

JUDGE, HARRISON _____ COURT

STATEMENT OF DEFENDANT

I HAVE READ THE ORDER WHICH APPEARS ON THE FRONT SIDE OF THIS
FORM. I UNDERSTAND THAT VIOLATION OF THIS ORDER CONSTITUTES A
VIOLATION OF IC 35-38-2-3, PUNISHABLE BY A REVOCATION OF PROBATION, AS
WELL AS A FINDING THAT I AM IN CONTEMPT OF COURT, AS WELL AS FACING A
POSSIBLE ARREST FOR INVASION OF PRIVACY PURSUANT TO IC 35-46-1-15.1. a
COPY OF THIS ORDER HAS BEEN GIVEN TO ME ON THE DATE FOLLOWING: _____

DEFENDANT'S SIGNATURE

NO CONTACT ORDER WHILE ON PROBATION HAS BEEN SENT TO THE
FOLLOWING PROTECTIVE ORDER DEPOSITORIES:

- ☐ SHERIFF OF HARRISON COUNTY
- ☐ SHERIFF OF _____ COUNTY
- ☐ LAW ENFORCEMENT AGENCY OF CORYDON, WHERE PETITIONER RESIDES
- ☐ LAW ENFORCEMENT AGENCY OF _____, WHERE
PETITIONER RESIDES

DATE: _____

CLERK, HARRISON _____ COURT

**LOCAL CRIMINAL RULES OF
PRACTICE
FOR THE COURTS
OF THE 3RD JUDICIAL CIRCUIT
HARRISON COUNTY, INDIANA
EFFECTIVE JUNE 1, 1995**

CRIMINAL RULE 1

APPLICABILITY OF RULES

A. SCOPE. The following local rules of practice and procedure shall apply to criminal cases filed in the Superior and Circuit Courts of Harrison County, Indiana.

B. EFFECTIVE DATE. These local rules shall be effective June 1, 1995, and shall supersede such rules heretofore enacted by said Courts.

C. CITATION. These rules may be cited as Local Criminal Rule (#). The Indiana Rules of Criminal Procedure are hereinafter referred to as Criminal Rule (#).

D. PURPOSE. These rules are promulgated pursuant to Trial Rule 81 of the Indiana Rules of Trial Procedure and are intended to supplement the Indiana Rules of Trial Procedure.

LOCAL CRIMINAL RULE 2

This local rule is written to comply with 2.2 of the Indiana Rules of Criminal Procedure. This rule considers the workload of each Court in Harrison County, as well as the needs of the people of Harrison County.

In all Criminal cases involving felony or misdemeanor violations filed in Harrison County, State of Indiana, the case shall be assigned to the Harrison Superior Court and the Judge thereof at the time of filing or his duly appointed or elected successor. Should, for whatever reason, the setting Judge be unable to serve on a particular cause of action, the replacement Judge shall be appointed pursuant to Indiana Rules of Criminal Procedure 12 and Indiana Rule of Criminal Procedure 13.

Should the State of Indiana dismiss a case and choose to refile that case, the case shall be reassigned to the Harrison Superior Court:

LOCAL CRIMINAL RULE 3

This local criminal rule has the purpose to comply with and to augment Indiana Criminal Rule number 12 and 13, and is not to supersede same.

In cases where a timely and appropriate request for change of venue from judge has been filed in criminal cases, and that motion granted, the Court shall use the following panel in rotation:

JUDGE - CRAWFORD CIRCUIT COURT
JUDGE - WASHINGTON CIRCUIT COURT
JUDGE - WASHINGTON SUPERIOR COURT
JUDGE - FLOYD CIRCUIT COURT
JUDGE - FLOYD SUPERIOR COURT
JUDGE - FLOYD COUNTY COURT

Judges previously assigned to the cause shall be ineligible for reassignment to that case.